

Fields of Bondage



THE MEXICAN CONTRACT LABOR SYSTEM IN INDUSTRIALIZED AGRICULTURE

Henry Anderson

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Cover photograph: braceros cultivating sugar beets near Stockton.
Courtesy, Ernest A. Lowe, Berkeley, California.

ADDENDUM

On Wednesday, May 29, four weeks after this booklet was completed, the U.S. House of Representatives voted to let the bracero system die at the end of the year. Technically, the vote was on a proposal to extend Public Law 78 for another two years. The bill was defeated, 158 to 174.

Bracero-users raised the usual cry of "crisis." (See pages 79-86 for a spoof of this conditioned reflex.) Scare headlines appeared in major newspapers. A California Assemblyman said the vote was "the worst thing that ever happened to California agriculture." Governor Edmund G. Brown said he "regrets this action very much... (It) creates serious problems for California agriculture, and I hope Congress will now join us in producing workable alternatives." (No one seems to have asked why Congress and the Governor of California should be considered responsible for recruiting a labor force on behalf of the largest and richest industry in the state and nation.)

It might seem as though day before yesterday's action by the House of Representatives relegates Fields of Bondage to merely historical interest. Unfortunately, this is not the case. Efforts are already under way to revive the bracero system at the present session of Congress. If this fails, it will very likely be brought up again at next year's session, amid threats of "crops rotting in the fields." If that, too, fails, erstwhile bracero-users will unquestionably attempt to develop some other foreign labor system. This will most probably take the form of expanded importation of so-called "green card" workers from Mexico, under the McCarran-Walter Act. This "workable alternative," with which forward-looking California growers have been experimenting for the last two or three years, is very little better than the bracero system.

Fields of Bondage is not just a treatise on a particular labor arrangement. It is a discussion of a certain cast of mind which may be called the plantation mentality. Such discussions will be of more than merely historical interest so long as this type of mentality dominates agricultural decision-making in both the Southeastern and Southwestern parts of the United States. Southeastern agriculture has not recovered from its 300-year tradition of indentured servitude, chattel slavery, and sharecropping. Southwestern agriculture has not recovered from its 100-year tradition of foreign contract labor.

The plantation mentality dies hard, when it dies at all, and it will not die this year or next. The battle of Public Law 78 may be over (for the moment), but that was only one battle in a long war, and the war goes on. The fundamental conflict is between two irreconcilably different types of agriculture: one of free men, and the other of workers in some form of bondage. This, in turn, may be viewed as part of a larger and longer war which will continue so long as it is possible for men, anywhere, in any manner, to hold other men in captivity and thralldom.

I wish the time had come when, in fact, Fields of Bondage could be relegated to the shelf of historical curiosities. That time is not yet.

H.P.A.
May 31, 1963

Dedicated to Martin Luther King, Jr.,
and his co-workers. Against the national
disbelief, among other obstacles, they
have shown us that liberation is pos-
sible on this hundredth anniversary of
the Emancipation Proclamation.

And they have shown us how.

FIELDS OF BONDAGE

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PREFACE

Our irreligious society, having rejected God and Man, worships at the shrine of something called research to nearly the extent it worships at the shrines of money, fame, and power. This is true not only of "hard research" -- the kind which produces better mousetraps and H-Bombs. It is true of medical and paramedical research. Congress, for example, customarily appropriates more money for the National Institutes of Health than the Administration requests -- without apparent reference to the results which NIH grants may or may not have yielded over the years. The social sciences, in their passion for parity with the physical and biological sciences, are equally obeisant to research as such, without apparent reference to results. Behavioral scientists must "publish or perish." Every conceivable variety of trivia is researched painstakingly by economists, political scientists, historians, anthropologists, social psychologists, sociologists. And then, because it is part of the religion that research must be replicable, the same minutiae are restudied by someone else.

Amid the general reverence for research, however, there is a curious selectivity as to topics which are considered appropriate for investigation and those which are not. Among those which are considered beyond the pale -- perhaps because it is too important -- is one of the largest population movements in the history of the world: an ebb and flow of from 300,000 to 500,000 contract laborers, crossing every year from Mexico into the United States for agricultural work, and then returning to Mexico. This is usually referred to as the "bracero program." But it is more than a program. It is a whole social system -- an institution which, like all institutions, proliferates into and interlocks with a multitude of other social arrangements.

Under this system, at least 10,000,000 crossings of an international border have taken place. In numerical terms, if no other, the bracero system ought to be of greater interest than, for example, the crusades, the 19th Century hegira of Irish and Italians to the United States, or the aliyah of Jews into Israel. But hardly anybody talks about the bracero system. No full study of it has ever been published.

Fields of Bondage is not an attempt to fill the lacuna completely. This is not a "scholarly" work, although it is the outgrowth of seven years of study and first-hand observation, much of which was quantified and controlled in accordance with the canons of the research religion. The discussion which follows represents the ultimate conclusions yielded by those seven years. This is an attempt to depict the cutting edge of the bracero system; to draw the profile of the single most distinctive characteristic of the system.

We shall not attempt here to dissect the whole corpus of braceroism. Nothing will be said in these pages about small shopkeepers in bracero-using regions silently and permanently closing their doors. Nothing will be said here about an estimated million families in Mexico which have lost husbands and fathers. Nothing will be said about five million Americans of Mexican ancestry, in the Southwest, struggling to be permitted

their rightful place in the American economy and society. Nothing will be said here about hundreds of thousands of domestic farm workers driven from their jobs, and the reduction of those who remain to a condition of virtual peonage. Nothing will be said here about hundreds of thousands of small farmers, and their families, forced off the land, forced to give way to corporate "merchants of labor," in Galarza's phrase.

I hope, however, that most readers will perceive that all these things are implicit in the brief profile we shall sketch here. All these things are the inevitable consequences of the cutting edge which we shall here examine. Below an encrustation of legal and quasi-legal documents, regulations, and interpretations, the one most clearly identifying feature of the bracero institution is its calculated and systematic denial of rights and liberties long since won by other workingmen in this society, and generally taken for granted by us all. From this cutting edge, everything else follows. As Weiner says, in The Human Use of Human Beings, "Those who compete with slaves have to accept the conditions of slave labor." Under the bracero system, American farm workers and working farmers are forced to compete, head-to-head, with Mexican contract workers who are captives in every important respect. The destruction of the domestic farm labor market, and of the family farm in bracero-using areas, has followed ineluctably.

The absence of public discussion, the absence of research, the absence of any thoroughgoing book on the bracero institution, may also be traced to this same distinguishing characteristic of the system. Bracero-holders have, for obvious reasons, wished to keep the essential nature of their system secret and hidden. Through a variety of means, they have largely succeeded. On pages 69-71 will be found an account of what happened to one researcher who tried to pursue the truth about the bracero system and return to tell about it.

As it does not presume to examine the many ramifications of this peculiar institution, Fields of Bondage does not presume to consider the workings of the system in all the States where braceros are used. For all practical purposes, our discussion will be confined to observations and experiences in California, based largely on direct interviews with braceros who were entering or leaving this State, or were in the midst of their contracts here. California is generally acknowledged to be the "best" of the bracero-using States, with respect to wages, housing, and all the other indices by which those associated with the administration of the system -- and most critics, as well -- usually measure goodness or badness. To rest our argument on the California version of the system is therefore to give the system every benefit of the doubt. If the evidence forces us to conclude that the bracero system is unconscionable in California, it would follow that the system must be considered unconscionable everywhere.

The reader who is searching for sensation will no doubt be disappointed by the treatment which follows. This is not muckraking. This is no exposé of wicked men. In the following pages, there is little "naming of names." This is not because I wish to protect the guilty. It is not because I doubt the principle of individual responsibility. But

I am proceeding from the premise that the core concept of the bracero system is what is wrong. To "expose" violators of peripheral regulations, while permitting this core concept to endure, is, in a real sense, to deliver ourselves into the bracero-users' camp. Battles over violations of housing, feeding, transportation, and other regulations are fought on the chosen battleground of the bracero-masters. They will make strategic retreats within this terrain. They will concede an occasional violation of law, because dispute at this level implies that improved enforcement of the law will legitimate the system.

In these pages, we shall not be concerned with pointing the finger at this bracero-runner or that bracero-runner. We shall deny that wages, housing, transportation, and the like, are at the heart of the bracero system. We shall deny that the bracero problem is essentially one of legal interpretation or of administrative zeal. We shall deny that Public Law 78, enabling legislation for the system, can be amended into a statute acceptable to a free society. We shall take the position that the relevant questions are such as these: do braceros have any voice in setting standards of wages, housing, food, and so forth? are braceros free to choose their employers and type and area of employment? are braceros free to associate with whom they please? are braceros free to move from place to place? are braceros free to express themselves? are they free to receive expressions of fact and opinion from others?

These are the relevant questions -- the radical questions, in the correct sense that they get to the root of the system.

There are very few statistics in the pages which follow. Statistics, like violation-hunting, tend to obscure the real issues at stake. The U.S. Department of Labor will be happy to send you large quantities of numbers concerning their stewardship of the bracero system. But not one of these numbers will tell you anything about whether braceros are free men or workers in bondage. Perhaps no statistics could. Perhaps the important things are beyond the statistical method. In any event, we do not propose to wait until the quantifiers discover the bracero system. We shall here take the view that one worker in a single field of bondage would be as grave a concern as 300,000 workers in 50,000 fields of bondage. What is possible for one farm laborer is possible for all farm laborers -- and for everybody else as well.

The reader may feel the treatment in these pages is incomplete since I do not attempt to discuss, except perhaps by implication, "Where do we go from here?" I regard the present volume as the first half of a set of two companion pieces. I hope, in the near future, to distribute the second. I should like to call it The Fields Beyond, and in it I should like to discuss the alternatives to the bracero system which Americans may design and implement at any time they care to do something about their fields of bondage.

The purpose of the present volume is to demonstrate, in perhaps a clearer manner than has been done elsewhere, the essential nature of the bracero problem. There are times when a diagnosis itself suggests the cure. The bracero system may be a case in point. The cure for bondage, it would seem, is liberation.

I am grateful to a number of persons for encouragement and assistance, direct and indirect, in preparing this report. I owe thanks to Katy Peake, and others of the Emergency Committee to Aid Farm Workers. Ellen Anderson, Phil Davis, Barbara Lucas, and others, helped with typing, proofreading, mimeographing, assembling. My thinking about the bracero system has been profoundly influenced by Fathers Donald McDonnell and Thomas McCullough. And, of course, everyone who labors in this vineyard must salute Ernesto Galarza -- in chronology and moral passion, the leader of us all.

In various ways, I am indebted to many other people: Louie Tagaban, Ernest Lowe, Marshall Krause, Albert Bendich, and Coleman Blease, to name a few. Responsibility for the analysis which follows, however, is mine alone.

Henry Anderson
3311 Estudillo Street
Martinez, California
May 1, 1963

I. The peculiar institution revisited:
"We no longer buy slaves; now we rent them"

On October 1, 1957, the Chief of the Farm Placement Service of the U.S. Department of Labor said, at a conference on labor law administration, "These workers are not free agents in the labor market. They do not have freedom to move about as they please and shop for the best job that the labor market could afford."

On the day after Thanksgiving, in 1960, an agricultural employer said on a national television program, "We no longer buy slaves; now we rent them."

A labor leader began saying in 1959, and is still saying to anybody who will listen, "This is licensed and legalized slavery—the kind we fought a Civil War over." But nobody is listening.

The bureaucrat (who is now Deputy Director of California's Department of Employment, in charge of farm labor), the grower, and the labor leader were all referring to the same thing: the bracero system. Quite independently of one another, each had put his finger on the peculiar character of the system. It is indeed peculiar that a system of workers who "are not free agents" should flourish in a society which calls itself free.

A century ago, the United States of America embraced—or, rather, endeavored unsuccessfully to embrace—another institution which even its apologists admitted was "peculiar." This was the institution of involuntary servitude in the plantation economy of the South: i.e., slavery. For eighty-five years, statesmen attempted to reconcile this peculiar institution with our other institutions, such as the Declaration of Independence, the Constitution, and the Bill of Rights. It could not be done. As Thomas Jefferson had predicted, this was the rock upon which the nation foundered. A terrible war was fought over it. Despite the superior wisdom of some latter-day historians, everyone who was involved at the time "knew that [the slave] interest was somehow the cause of the war," as Lincoln said in his second inaugural address.

Through a 1951 Act of Congress, a peculiar institution has again been insinuated into the social, economic, and political fabric of a section of the country. Most Americans are probably unaware of its existence or its portent. Perhaps they are too preoccupied with peculiar institutions overseas, such as cement block walls in the heart of Berlin. But whether we recognize it or not, a bizarre structure—a lacerating division—exists in the heart of America, too.

Like our peculiar institution of a century ago, it is largely confined to a particular section of the country: this time the Southwest rather than the Southeast. Like its predecessor of a century ago, it is peculiar to plantation agriculture. Like its predecessor, it assumes the form of plantation owners importing captive workers from abroad to perform work which the owners claim is too degrading for American citizens and "white men." Like its predecessor, the basic peculiarity—underlying all evasions, abuses, and cruelties—is the very fact of a captive labor system in the midst of a society which styles itself free.

An Archbishop of the Roman Catholic Church, in a Southwestern archdiocese, calls the bracero system, "Our national badge of infamy." Archbishops do not use such language loosely. What did the Archbishop mean? What is the bracero system? Why has it evoked such powerful emotions? On the surface, it is simply an arrangement whereby the U.S. Department of Labor recruits Mexican workers to perform agricultural labor, under contract, in the

United States—principally in California, Arizona, New Mexico, Texas, and Arkansas. These workers are called "Mexican Nationals," or "braceros"—a Spanish word meaning, literally, "arm-men," or, more freely, "farm hands." They work in cotton, sugar beets, berries, melons, fruits, and vegetables. When the season is over, they are returned to Mexico. Under the law, they are supposed to be used only to fill "labor shortages," when American farm workers are not available at the "prevailing wage rate." They are not supposed to be authorized if their employment will "adversely affect the wages and working conditions of domestic agricultural workers similarly employed." They are not supposed to be authorized until bracero-users have made "reasonable efforts...to attract domestic workers for such employment at wages, standard hours of work, and working conditions comparable to those offered to foreign workers."

This arrangement has never had a counterpart in our society and economy. It is unique. It is sui generis.

Bracero-users have attempted to conduct their peculiar institution with as little public attention as possible. But it is difficult to import half a million men in a year, and then export them again, without attracting a little attention. Some observers have raised questions. If domestic workers are to be "attracted" at wages comparable to those of braceros, and braceros are to be paid the "prevailing wage rate," who is the tail and who is the dog? How can there be a "prevailing wage rate" at the time braceros are recruited, before the season even begins? How could it be possible to inject half a million foreign peasants into a labor market without having an adverse effect on the wages and working conditions—and the very existence of jobs—of American workers in the industry?

These are live questions. They are so obvious to any reasonable person that it is understandable the dialogue over the bracero system—to the extent there has been any dialogue at all—has been preoccupied with the concepts of "prevailing wage," "reasonable efforts," and "adverse effect."

A number of authoritative statements are available within this frame of reference. The reader may wish to refer to a report by four distinguished consultants to the Secretary of Labor, issued in October, 1959. Or the reader may obtain a number of pertinent materials from the National Advisory Committee on Farm Labor.

But in the present paper, we shall view the bracero system within a different frame of reference: a sociological and political frame of reference rather than an economic one. We shall take the position that it is largely frustrating and futile to become hung up on such considerations as "adverse effect." Of course there is adverse effect. Everybody knows there is adverse effect. Bracero-users intended their system to have adverse effect.

We shall take the position that there are more fundamental questions involved: why is there adverse effect? how did the bracero system come into being in the first place? why is it permitted to exist? what is its innermost property, its secret genius, its particular nature, its wellspring?

We shall argue that the distinguishing characteristic of the bracero system is that it is a captive labor system. We shall argue that from this taproot, adverse effect and many other flowers of evil have bloomed inevitably. We shall argue that this peculiar plant is aggressive and self-aggrandizing. It does not stop with the corruption of a field where it is first sown. It propagates itself. It spreads to adjacent fields. It turns green fields into fields of infamy. It corrupts everything it touches. In some way or other, it corrupts us all.

We shall argue that it avails little to pluck the flowers of evil from this peculiar plant, and destroy them one by one. Others at least as evil will always grow in their place.

We shall argue that there is no correction for this malodorous harvest other than to dig to the taproot of the plant and uproot it utterly. There is no correction for our fields of infamy other than to substitute the labor of free men for the labor of captives.

We shall argue that although the hour is late, it is particularly fitting we should address ourselves to such a task in the year 1963. This marks the one hundredth anniversary, precisely, of the Emancipation Proclamation, which pulled up by the roots an earlier exercise in the peculiar institution of captive labor in the midst of a society which called itself free.

II. The Southwestern tradition of captive labor:
"White laborers with families...would be liabilities."

When were the seeds of braceroism planted? How did this peculiar institution begin? Why has it been able to flourish so largely out of sight of the larger society—and out of mind?

Many entwined and entangled explanations could be offered. We might talk of the curious workings of our legislative process, whereunder a minority of Congressmen representing the interests of industrialized agriculture are able to work their will upon the majority from urban constituencies, who do not know and do not care what is happening on the corporation farms of the Southwest. We might talk of "factories in the field" which are still, incredibly, able to cloak themselves in the sentimentalized mantle of yeomen engaged, not in a business, but in a "way of life."

Space and time do not permit us to pursue these threads, important as they are. The reader who desires a fuller comprehension of the bracero system will do well to consult the works of Carey McWilliams, Paul Taylor, Lloyd Fisher, and others.

Here, we shall limit our discussion to two traditions which seem particularly crucial to the emergence of the bracero system: a long-standing assumption on the part of Southwestern growers that they are somehow "entitled" to a captive labor force of one type or another; and the tradition of peonage in Old Mexico which dates back at least to the days of Hernando Cortez.

Agriculture in California, and most of the rest of the Southwest, began under the pattern of colonial Spain. Conquistadores, who were in many cases nothing more than soldiers of fortune and common ruffians, were granted titles of nobility by the Spanish king. These newly created dons were also granted title to immense ranchos.

The Spanish dons, being a titled class, considered it beneath their dignity to work with their hands. Happily, from their standpoint, they had a ready-made labor force of California Indians, many of whom had already been taught the virtues of farm work and obedience by mission priests. When the land passed into the hands of American entrepreneurs, they inherited this same work force, and the same distaste for working with their own hands. But not many California Indians were available after the white man's diseases, massacres, and other hallmarks of civilization had had their effect. The land remained largely undeveloped, given over to grazing. In 1869, an accident of history deposited a supply of docile land laborers almost literally in the laps of California landowners.

The Central Pacific (now Southern Pacific) and Union Pacific Railroads had employed tens of thousands of Chinese coolies in hewing roadbeds through the Sierra Nevada and Rocky Mountains. These coolies were imported, under contract, straight from the "rice fields outside Canton." The transcontinental railroad was completed at Promontory Summit, Utah, on May 10, 1869. Only a fraction of the coolies were thereafter required for maintenance of way work. Most were disgorged into the California labor market, and most were prepared only for work in agriculture. California growers began converting to crops requiring intensive hand labor. One major factor in the changeover, of course, was the railroad, which for the first time made possible the shipment of perishable crops to Eastern markets, in refrigerated cars. But without their windfall of hand labor, growers would have been in no position to exploit the new developments in transportation.

It is vital to note not only the amount of labor available, but the kind of labor. Like the California Indians before them, the Chinese were tractable. They were unfamiliar with American standards. They were willing to work under contract. They were willing to work for very low wages. (If they had been more sophisticated, they could have commanded premium wages in the tight labor market of that time.) They were "good workers," which is to say they worked hard, efficiently, for long hours, without complaining. They were able to subsist on a couple of handfuls of rice per man per day. They were even better than Indian labor inasmuch as they had no families. They could be moved here and there at the pleasure of growers, and they required almost nothing in the way of housing or other amenities.

There were no immigration laws at the time, and growers imported more Chinese as farm workers under contract. These workers were effectively prohibited from any redress in the unlikely event that they might complain about their lot. For example, the Supreme Court of California ruled that Chinese were a variety of Indian, and therefore included within the provisions of an 1854 statute which prohibited the testimony of Negroes, mulattos, and Indians in cases to which white men were a party.

Lloyd Fisher has called it "a kind of golden age for California farmers with respect to the problems of labor supply." It was estimated that by 1880, 90% of the agricultural labor in California was performed by Chinese. And, again, the important point is that it was a peculiar kind of labor: namely, coolie labor. The subsequent history of farm labor in California can be understood only within this perspective. Coolie labor became the model against which agricultural employers measured all labor. As the years went by, they came to believe, at deeper and deeper levels of conviction, that they had a right, within the natural scheme of things, to labor of this type. If it was momentarily unavailable, they cried of a calamitous "labor shortage," and they recruited a comparable class of labor from some other source. The final stage in this remarkable process of economic psychology was that growers came to believe their right to coolie labor was so absolute that it was not even incumbent upon them to recruit their workers--society itself was responsible for guaranteeing them such a labor force.

But we anticipate our story.

California growers' enthusiasm for coolie labor was not shared by other citizens of the state. Free labor--that is to say, American workingmen--were particularly unimpressed by the virtues of alien contract labor. Beginning in the 1870's, agitation against the Chinese began to mount. It culminated, in 1882, with the enactment of a Chinese Exclusion Act by the U.S. Congress.

Growers immediately began to search for an equally tractable labor supply. The Pacific Rural Press quoted one spokesman as saying,

As the south has tens of thousands of negroes who can barely make a living, we conceived the idea of contracting for negro help ...and shipping them out to take the place of the Chinese....In securing the negro laborers for this State, our agent here enters into an agreement with the person wanting the help to furnish him with able-bodied laborers...for the period of one year from the date of arrival of the laborers at the place specified, at the following wages: male laborers, \$15 a month, female laborers, \$10 a month. Boys, \$7.50; and girls \$5 a month....The person employing the help deposits in his local bank a sum sufficient to pay the transportation charges of the negroes, and this money is

paid to the contracting agency when the help is delivered and found to be as represented. Then between the agency and the colored help an agreement is entered into, by which the former furnishes the employment stated, and transportation free on the condition that the latter remain with his employer for the term of one year, and reimburse him for the amount expended on his transportation in installments of two-thirds of his monthly wage until the debt is paid....

It is interesting to conjecture on what would have been the ramifications of this plan to make California agriculture a replica of the Deep South--had it succeeded. But for one reason or another the plan came to little. The Chinese coolies began to grow old. Through extreme frugality, a number of them saved enough to move to San Francisco or other urban centers. By 1890, growers were petitioning Congress to rescind the Chinese Exclusion Act, complaining of the danger of "crops rotting in the fields."

No crops rotted. Another unlimited pool of coolie-type labor was opened. This time, the source of supply was Japan. In 1882, when there were 132,300 Chinese in California there were exactly 86 Japanese. In 1890, there were 2,039 Japanese; in 1900, 24,326; in 1910, 72,156. Virtually all were employed as hand laborers in agriculture.

At first, California growers hailed the Japanese as even better farm workers than the Chinese. They were experienced farm laborers, recruited directly from rural Japan. They were extraordinarily hard working. And they formed little "clubs" or "associations," each with its own leader, who relieved the grower of responsibilities for managing his own harvesting or other operations. These groups had an almost magical way of appearing when they were needed, living no one knew just where, and moving on when needed no longer. The President of the California Fruit Growers Exchange at that time said, "The Japs...just drift--we don't have to look out for them. White laborers with families, if we could get them, would be liabilities." (Emphasis added.) But the best part about the Japanese was that they worked for less than American citizens were able to work for. A U.S. Commission on Immigration reported, in 1911, "On one ranch, for example, the Japanese contractor agreed to care for the growing crop for \$14 per acre, where the lowest bid made by a native (i.e., domestic American. ED.) was \$18 per acre."

But trouble arose to disturb the growers' paradise. The Japanese began using their associations for bargaining purposes. They even went so far as to stop working during harvest periods, asking for higher pay. They also had the irritating habit of declining to scab against their fellow Japanese. Growers began to grow increasingly disenchanted. The final insult was that some Japanese managed to save enough money to buy small farms of their own, and to compete against their former employers. The Japanese had to go. This time, growers found themselves in league with American workingmen in agitating for Oriental exclusion.

In 1905, a "Gentleman's Agreement" was reached between the United States and Japan, for the purpose of "stabilizing" Japanese immigration. It did not have the desired effect. It was not possible to invoke the ordinary immigration laws, since they rested upon the principle of free movement. So California growers turned to a friendlier legislative source. In 1913, the California legislature enacted an Alien Land Law, making it illegal for an alien to own property in this state. Under this cloak, large amounts of land were expropriated from Japanese owners. Although the law was obviously unconstitutional, it remained on the state's statute books for 35 years. It was not the last legislative act of doubtful constitutionality to benefit California growers.

During the agitation over the Japanese, once again an accident of history deposited a large supply of coolie-type labor virtually on the doorsteps of Southwestern growers. During the decade of the 1910's, the Mexican Revolution wreaked havoc through much of rural Mexico. Thousands of peons were forced to flee from the combination of hunger and gunfire. At the same time, the Great War in Europe produced an unprecedented demand for agricultural products. Southwestern growers wanted more labor than ever before, and with the connivance of the U.S. Government, they got it from across the border.

The Immigration Act of 1885, which was supposedly the law of the land at the time, called for a literacy test and a head tax of all aliens entering the country. The Act also contained a rigid prohibition of all foreign contract labor arrangements. In the words of Lloyd Fisher, "Laxity in enforcement of [these] laws became the virtual policy of the government." The recruitment of Mexican workers was carried on so frankly by large agricultural employers of California and other western states that it seems a mistake to call these workers "illegal entrants." Yet that is what they were, technically, as many of them discovered to their sorrow during "wetback" roundups thirty years later.

We note at this point another important thread in the history of farm labor practices in California: the assumption by growers that they are above the law. If the immigration law does not suit their convenience--it may be ignored. And with impunity for the grower. The worker may suffer the penalty if he is apprehended, but the grower may go on recruiting other workers in the same way.

Interwoven with this thread, in the same fabric, is the assumption that agencies of government will not only wink at violation of the law, but will in many cases serve as veritable co-conspirators.

During the World War I period, growers had only to present themselves at the border, and tell Immigration and Naturalization officials that they needed workers for a certain period. As many workers as they claimed they needed were permitted to cross. Some returned to Mexico at the conclusion of their employment; others did not. Nobody cared. It was estimated that during this period at least 50% of the seasonal farm labor employed in California was Mexican, of which 80% had entered the country in violation of one or more portions of the immigration laws.

In 1924, the U.S. Congress enacted a new Immigration Act, which for the first time placed racism at the heart of immigration and naturalization policy. Immigration quotas were confined to those aliens eligible for U.S. citizenship. Japanese were made ineligible for citizenship, hence totally inadmissible to the country. This Act, which practically stopped immigration from the rest of the world, did not apply quotas to countries in the Western Hemisphere. The number of Mexicans entering the U.S. under visa promptly jumped from 30,295 to 105,787. For the remainder of the decade, and during the first few years of the 1930's, the hegemony of Mexicans in the seasonal farm labor market of California was unquestioned.

Growers were generally pleased with Mexicans as farm workers. They were widely believed to be less "industrious" than Japanese or Chinese, but, on the other hand, had the advantage of being even more tractable. Many Japanese and Chinese had come from a background of independent farming. Most Mexicans came from the tradition of the hacienda, a feudal system in which the peasants, or peones, were completely dependent upon the landowner, or patrón.

There came into being an arrangement which was thoroughly consistent with this tradition, and which was eminently pleasing to California growers: a system of labor contracting under which the crew leader, rather than being answerable to the workers, as had been the case with the Japanese, was answerable only to the employer. It was a system with a built-in protection against worker organization. It worked well. There was not a single strike of agricultural workers anywhere in California during the years 1921-1928.

By 1929, the Immigration and Naturalization Service had begun to enforce the laws seriously at the Mexican border, probably an anticipatory response to the Box Bill, which would have put Mexican immigration on a quota basis. The proposed allotment was 1,575 persons per year. Even though the bill was defeated (almost entirely as a consequence of violent opposition by Southwestern agricultural employers), growers began to grow apprehensive again about possible shortages of the type of labor to which they had grown accustomed.

Growers again began to scour the globe for new sources of cheap labor. They had experimented with workers from India--"ragheads" as they called them--from Arabia, and other areas. But these were cut off by the Immigration Act of 1924. There remained a portion of Asia which was exempt from the Act: the Philippine Islands which were, at the time, a U.S. colony. In 1929, 5,795 Filipinos entered California for employment in agriculture under contract. Altogether, 31,920 Filipino farm laborers entered the state during this period. They were, at first, an ideal group from the standpoint of their employers. They were young, single males, accustomed to hard work and unaccustomed to American labor standards. They worked in racially homogeneous groups, under the same sort of labor contractor system as Mexicans. They customarily worked at piece rates, and employers were able to retrieve a sizeable proportion of their wages from transportation advances, board, and sales in company stores and commissaries.

But the growers' good fortune was not to last. The Filipinos began to organize among themselves. They demanded better wages, and the satisfaction of other grievances. Growers found that, unlike Mexicans, Filipinos could not be deported. By 1934, a spokesman for a growers' organization was saying that Filipinos were "more dangerous than any other Asiatic group that has ever been brought into this state." In that same year, the Philippine Island Independence Act was passed, which not only limited Filipino immigration, but encouraged Filipinos already in the U.S. to return to their homeland.

During this period, many Mexicans were also leaving California agriculture. Peace had been restored to Mexico, and with the Great Depression agricultural wages had sunk so low in the U.S. that there was little to choose between the two countries. One was happier being hungry in la patria than in a foreign land.

Once more, events conspired to provide California growers with all the disadvantaged labor they wanted--and more. Years of overplowing in the lower plains states, coupled with a prolonged drought, created the "Dust Bowl." Hundreds of thousands of men, women, and children became refugees in their own country. In the misfortune of the Dust Bowl refugees, California growers thought they had an answer to all the problems of labor supply. They distributed handbills in the afflicted sections of Oklahoma, Arkansas, Texas, and Missouri, painting glowing word pictures of the opportunities for good wages in California agriculture. In the space of the middle 1930's, 250,000 to 300,000 migrants came to this state. At first, the situation seemed ideal to agricultural employers. The migrants were experienced farm workers. They were hungry, and had to work to feed their families. There were more of them

than there were jobs, so the refugees fought among themselves for the chance to work at any wage. There may have been a formidable problem of relief during the off-season, but the problem was thrown on urban communities, not upon growers. When the season opened again, relief administrators could be counted upon to issue "work or starve" orders. The migrants were forced back into agricultural labor--at the "prevailing wage," even if it were less than relief payments, as it usually was.

But there was trouble in the growers' paradise again. For the first time in its hundred-year history, California agriculture was depending largely upon American workers. These people had had at least a few years of schooling. They were able to read in the newspapers about the organizing efforts going on in other basic industries. They had heard at least something about "free speech." They met together. They talked together. They shared their grievances, and their anger mounted higher and higher.

Growers fought back. They had themselves deputized by friendly sheriffs, and they formed vigilante posses and armies, armed with pickaxe handles, to do war against their fellow Americans--their own employees. It did not bring peace. The strife attracted the attention of journalists, as strife will, and soon most of America knew that growers and workers were locked in dubious battle in the valleys and on the coastal plains of California.

It was particularly galling that the government, which growers had counted as an ally for so long, seemed to turn its sympathies to the workers. Culbert Olson was elected Governor of California in 1938, and he promptly made Carey McWilliams his Commissioner of Immigration and Housing. The Farm Security Administration of the Federal government built a series of migrant labor camps, against the protests of growers that these were "hotbeds for agitators and radicals."

During the 1930's, there were more, larger, longer, and bloodier strikes in California than American agriculture has ever known before or since. The situation could not continue indefinitely. There are indications that it would have been resolved through some form of permanent worker organization and compulsory arbitration if events had taken their course. But the long hand of history, reaching from far overseas, again intervened. War preparedness began in 1940. President Roosevelt entered into a "lend-lease" agreement with Great Britain. Shipyards opened in Vallejo, Richmond, Sausalito. Wages were much higher than anything in agriculture, and, perhaps as important, workers enjoyed a measure of respect and dignity. The Dust Bowl refugees began to depart from California's embattled valleys.

Growers immediately complained of a labor shortage. Even before Pearl Harbor, they began pressing for an "open border," in the manner of World War I. The government, with memories still fresh as to why there might be a "labor shortage" in California agriculture, held out against these demands. During most of the 1942 harvest season, growers were obliged to recruit workers for themselves, among the general American labor market. Interestingly enough, they found it possible to locate enough workers, even with the competition of the armed forces and the wartime industries which by now were in full swing. No crops were lost.

But the ingenuity and hard work required to attract a bona fide American labor force were more than California growers cared to continue to expend. They redoubled their pressures upon the Federal government, and eventually their claims that the use of Mexicans would be "patriotic" and would help "win the war" carried the day. Growers received a special dispensation under the extraordinary wartime powers of the Executive: an order that the War Food

Administration would recruit Mexican contract laborers for use in California. This was something new under the Southwestern sun. These workers weren't being recruited at the border by growers, in an evasion of the immigration laws. They were entering legally, under a wartime waiver of the laws against foreign contract labor. To set them off from every prior form of Mexican labor, they became known by a new term: bracero.

The first trainload of braceros pulled into California in September, 1942. This "emergency" labor force, to help us "win the war," has been with us ever since. The second generation of braceros is now filling the jobs their fathers filled 21 years ago.

The World War II bracero system was incredible. The Federal government bore almost all the responsibilities and costs of administration, including recruitment, transportation, feeding, housing, and medical care. In 1944, it cost U.S. taxpayers \$23,679,393 to provide growers with 62,170 braceros. As wartime always is, it was a time of bonanza profits for agricultural employers, but they were put to less trouble and expense for their labor than ever before. In the words of Carey McWilliams, it was a "dream of heaven" for California's corporation farmers.

Two-thirds of all the braceros in the country were used in California during this period. The entire states of Texas, Arkansas, and New Mexico were blacklisted by the Mexican government because of the indignities of discrimination visited upon persons of Mexican extraction.

The growers' "dream of heaven" was filled out by other forms of labor furnished through the courtesy of the government. A considerable number of Jamaicans were recruited and shipped across the Caribbean Sea and the continent to work in California. But growers didn't like their "arrogance," so they were shipped back. Some American Indians were recruited from the reservations of Arizona. Growers didn't like them, because they didn't work as hard as braceros. Growers were better pleased by convict labor, supplied them from such prisons as Folsom. And they were even happier with the prisoners-of-war, principally Italian, which the government placed at their disposal following the invasion of Italy. Still another form of captive labor was supplied to California growers during World War II. Persons of Japanese ancestry, many of them American citizens, were released from the concentration camps in which they had been incarcerated--released to the custody of growers for field labor under the surveillance of guards.

Following the war, the convicts returned to their cells, the prisoners-of-war to their native countries, and the Japanese-Americans to whatever life they could rebuild. The wartime programs were abolished by the economy-minded 80th Congress, elected in 1946. The bracero program alone survived. Hearing after hearing was held. A senator finally exclaimed, "This thing has died a thousand deaths around here. Are these workers really needed?" A spokesman for the Department of Labor, which was by this time administering the program, said that they were. The number of braceros employed in the entire U.S. dropped to 19,625 in 1949. This was about one half of one per cent of the total hired farm labor force at that time. Yet it was still seriously argued that the program was "essential."

In the late 1940's, the Mexican Government began to demand greater protections for its citizens employed in the U.S. Growers, and the U.S. government agents who represented their interests in international negotiations, grumbled that the program was getting too involved in red tape. By this time, also, the Federal government had gone out of the business of performing some of the tasks of management. Growers were asked to provide their own housing,

feeding, arrangements for medical care, transportation to and from the border.

Many growers, therefore--particularly those in areas close to the international boundary line--began to eye their long-time ideal of an "open border." They argued, "We have work to be done; men on the other side of that line are anxious to work. Why put restrictions in their way?" They impressed this logic on some officials of the Border Patrol. The word spread in Mexico that it was worthwhile to make the trek north and slip across the border. Those who swam or waded the Rio Grande became known as espaldas mojadas: "wetbacks." Those who crossed into California called themselves alambristos, or alambres for short: "fence jumpers." The number of Mexican farm workers illegally in the country climbed rapidly. In 1946, 102,000 illegal Mexican aliens were apprehended by the U.S. Immigration and Naturalization Service. In 1950, even with many Border Patrolmen dragging their feet, the number of apprehensions skyrocketed to 480,000. In the same year, only 66,000 legally contracted Mexicans were used.

The wheel of history continued to turn, with events in faraway places having profound consequences for hundreds of thousands of farm laborers in the Southwest. In June, 1950, fighting began in Korea at the 38th parallel. The U.S. was again at war. The state of mobilization was far from total, but it gave growers another opportunity to complain of their labor force being decimated, and to argue that they could not perform their patriotic duty of producing foods and fibers unless they were assured of a "supplemental labor supply."

The trouble with wetbacks was that they were not an altogether reliable labor pool. The pool could be dried up at any time the U.S. government tried seriously to close the border. And unlike the situation in the 1910's and 1920's, Mexico now had a stable government which might, if it chose, enforce its own laws, containing rigorous limitations upon the conditions under which workers could leave the country.

Growers craved a labor reservoir they were absolutely certain would not dry up. They began laying the groundwork for a Mexican contract labor program that they "could live with"--that would be free from "unreasonable interference" from the government of Mexico or other agencies outside of their control. They wailed that "Americans won't do farm labor." They wailed of the possible loss of "essential" crops. They turned every screw and pulled every wire that they could, in their dealings with the federal executive and legislative branches. They had the assistance of the lobbying apparatus of the American Farm Bureau Federation, and the rest of the farm lobby in Washington, D.C.--conceded to be the second most powerful pressure group in the nation's capitol, second only to organized medicine. Some would-be bracero-users literally spent more time in Washington than they did on their "farms."

On July 12, 1951, they got their wish. Public Law 78 was enacted by the 82nd Congress, and signed by President Truman. The following month, a Migrant Labor Agreement between Mexico and the U.S., and a standard work contract, were announced by the Department of Labor. The bracero system as we know it today was formally inaugurated.

* * * * *

Let us attempt to recapitulate the most salient and persistent characteristics of California growers' ceaseless quest for a peculiar type of labor supply.

(1) They want not only a full labor reservoir, but an overflowing labor reservoir. They want enough workers to meet any conceivable contingency, even if that contingency never arrives. They want more workers than there are jobs, to keep wages "in line." Under the piece rate system of payment which prevails in most harvests, it is no disadvantage to growers if there are so many workers each only works half of the time. Labor costs are exactly the same as if half that many workers work full time.

(2) Growers want a labor reservoir which is absolutely assured. They do not want it subject to the normal interplay of a free economy. They are unwilling to compete with other industries for workers.

(3) They prefer that their labor force be supplied to them by the government, at taxpayers' expense.

(4) At the same time they take advantage of the law whenever they can; they are prepared to defy the law if it suits their purposes. This may take a form as blatant as the encouragement of the "wetback" traffic. It may take subtler forms. For example, Congress is supposed to function under the Congressional Reorganization Act of 1946. This law clearly delineates the standing committees of both houses, and the jurisdiction of each. According to the law, bills dealing with "the regulation of foreign contract labor" shall be referred to the Committee on Education and Labor in the House of Representatives, and the Committee on Labor and Public Welfare in the Senate. If the law had been followed, the bracero system would probably never have been heard from again. These committees are not friendly to the idea of captive labor. What did the bracero-users do? Very simple. They prevailed on Speaker Sam Rayburn and Vice-President Alben Barkley, presiding officer in the Senate, to refer the bracero bills to the Committees on Agriculture of the respective houses. These committees were very friendly indeed to the idea of the bracero system--with the single exception of Congressman (now Senator) Eugene McCarthy from Minnesota, who filed a blistering minority report.

Every time that Public Law 78 has come up for reconsideration by the Congress, it has been referred, again, to the agriculture committees--still as illegally as ever. But nobody notices. Nobody protests. Nobody cares.

(6) Growers have always capitalized on the fact that their operations are conducted out of sight of society-at-large, and hence out of mind. The physical plant of a factory in the field is not so conspicuous as other types of factories. Nor is the labor force. The workers are spread out over a wide area. They do not pass in and out of a "factory gate." And while off the job, they tend to melt into the landscape. Employers of wetbacks made sure not to locate their wetback camps where they could be seen from the highway. Bracero camps are scarcely more obvious. The workers hardly ever leave camp. Bracero camps housing hundreds of workers can exist on the outskirts of town for years with most of the townspeople being unaware of the captive labor system in their backyards.

(7) In all cases, growers want a labor pool which is set off from every other labor market in the country by its defenselessness. They prefer workers who are not aware of normal American aspirations and expectations. They prefer workers who do not speak English and are unable to establish contacts with the larger society. They prefer workers who can be repatriated to a foreign country if they do not prove "satisfactory." They prefer workers who are unfamiliar with the workings of democracy, accept authoritarianism without question, and do not demand any voice in the terms of their employment. They prefer single males, as less likely to "make trouble." They prefer workers who are identifiable biologically, and may be relegated permanently to

agriculture through the operation of prejudices in the larger society. They prefer workers who are unfamiliar with organizing with other people, for whatever purpose. They prefer workers who may be shuttled here and there, so that they do not have time to establish any sort of enduring contacts with their fellow workers. Understandably enough, they want workers who are willing to work for very low wages, but, even more, they want workers whom they can treat as anonymous and interchangeable commodities rather than as human beings with volition and self-respect.

III. The meaning of the word peon.

Have you ever been to rural Mexico? Do you know anything of the "labor relations" between the owners of haciendas and their peons? Do you know the literal meaning of the Spanish word, peon? Do you know anything of the nature of the Mexican state: the relationship between the governed and those who govern?

If you do, you may anticipate what will happen when Mexican peons are sent to the United States to work. Because there is a treaty between the two governments, containing certain high-flown phraseology, we are expected to believe this is a normal, American, labor arrangement. To anyone who knows anything about rural Mexico, this is obviously an opium-dream.

But for the persons who think that Mexico is a democracy, for the persons who think that the Mexican Revolution brought about land reform, for the persons who think labor relations in Mexico bear any resemblance to those in the United States, some basic points must be made.

In the first place, the word peon means "pawn." In a real sense, this tells the whole story. Mexico's peasants have been the pawns of the powerful since the days of the conquistadores, and even before. Many are still pawns today. The Mexican Revolution for "land and freedom" was betrayed as thoroughly as any in history. Just last month, newspapers carried stories of desperate landworkers attempting to "squat" on a vast, unused tract which was one of the many spoils of office of former President Miguel Alemán. The workers were evicted at bayonet point.

To say that Mexico's rural dwellers tend to be suspicious of the state, its representatives, and its works is to understate the case. It is more accurate to say they fear their government. And perforce submit to it. There are no free trade unions to speak for them. Unions in Mexico are arms of the central government. There are no priests of the stamp of Morelos to lead the serfs of modern Mexico. So the peons exist, without hope of justice or freedom in this world. Indeed, the concepts of justice and freedom--and hope--are probably without meaning to most of the farm laborers of Mexico. One does what one is told to do, what one has to do, because--because there is no other way thinkable. It is not in the nature of man's existence to have alternatives and choices.

Given these conditions, it is the cruelest type of absurdity for the beneficiaries of the bracero system to gloss it over as just another, ordinary labor arrangement. It is, in practice, as extraordinary as our other historical adventures in captive labor: indentured servants, African slaves, Chinese coolies, Japanese and Filipino contract workers.

More than 75 years ago, the Congress of the United States considered the question of foreign contract labor at the time the nation's first codified immigration act was being drafted. A committee recommended that all foreign contract labor arrangements be outlawed. The committee report stated, in part,

"[The bill] seeks to restrain and prohibit the immigration or importation of laborers who would have never seen our shores but for the inducements and allurements of men whose only object is to obtain labor at the lowest possible rate, regardless of the social and material well-being of our own citizens and regardless of the evil consequences which result to American laborers from such immigration. This class of immigrants care nothing about our

institutions, and in many instances never even heard of them; they are men whose passage is paid by the importers; they come here under contract to labor for a certain number of years; they are ignorant of our social condition, and they may remain so they are isolated and prevented from coming into contact with Americans. They...live upon the coarsest food and in hovels of a character before unknown to American workmen. They, as a rule, do not become citizens....The inevitable tendency of their presence among us is to degrade American labor, and to reduce it to the level of the imported pauper labor" (Congressional Record, 48th Cong. 1st sess. p. 5359).

The law, as enacted on February 26, 1885, excluded contract labor of any kind, invalidated all contracts made previous to the importation of such labor, and provided penal sanctions for violations.

A recodification of immigration and naturalization laws, contained in an Act of 1917, went even farther in declaring alien contract labor contrary to the public policy of the United States. This Act made it illegal for "any person, company, partnership or corporation to repay the transportation or to induce in any manner whatsoever the importation or migration of contract laborers into the United States." It required the mandatory exclusion of

contract laborers who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled....

Although this language may appear ironclad, the outlawry of foreign contract labor was waived twice, at the behest of Southwestern growers. First, in World War I, during the Wilson administration. Second, from another "liberal Democratic" administration--the third Roosevelt administration--in 1942. As we have previously suggested, the "labor shortage" on both occasions was spurious. Throughout World War II, agricultural workers were exempt from the draft. The only "shortage" was a shortage of workers who had to stay in agriculture, and could not leave for any other type of employment, under penalty of law, no matter how much they might want to. The truth of the situation was that growers didn't want to have to compete with shipbuilders and other classes of employers. With their wartime profits, they could have. But they didn't want to. So, from a war-harried administration, they obtained contract workers.

The system, as we have noted, endured long after the Axis powers surrendered. But it became more and more difficult to demand a wartime waiver of the law of the land. There was still on the statute books that troublesome Immigration and Naturalization Act which very clearly prohibited foreign contract labor of every type. At a public hearing in the late 1940's, a conservative Republican Senator from Missouri, named James Kem, pointedly raised the question of the legality of the entire bracero system.

In 1950, a very significant event occurred. A new Immigration and Naturalization Act, bearing the names of Senator McCarran and Congressman Walter was enacted over President Truman's veto. The quota system, "security" provisions, and certain other aspects of this law were at the time widely lamented by libertarians, but no one seems to have noticed the provision which has probably permitted the crippling of more freedom of more people than any other. For the first time in the history of the nation's immigration

legislation, the McCarran-Walter Act permits the importation of temporary foreign contract laborers for occupations which the Secretary of Labor certifies cannot be filled by Americans. A study of background documents reveals that Senator McCarran never anticipated this would be used by any industry but agriculture. Which is precisely the way it has worked.

Friends of civil liberties may have overlooked the significance of this section of the McCarran-Walter Act, but its significance was not lost on agricultural employers of the Southwest, with their undying dream of a captive labor force placed on their doorsteps, on demand, by the U.S. government.

It is no coincidence that the first legislative embodiment of the bracero system followed close upon the passage of the McCarran-Walter Act. Previously, the system had functioned under wartime executive order, like the "relocation" of Japanese and a number of other programs which were unconstitutional on their very face. But now it became legal. It was no longer contrary to the public policy of this free society to import alien labor gangs of single males, under temporary contracts, and ship them back where they came from when their employers were through with them. It was no longer illegal to import peonage--that is, so long as this was done in agriculture and nowhere else.

IV. The Compulsions of Braceroism

It is symptomatic that nobody who should know actually knows anything very useful about the economics of the bracero system. Nobody knows how much braceros make in Mexico; how much they need to support their families in decency; how much they gross in this country; how much they send back to Mexico; how much they spend in this country; what they spend it on; etc. The Department of Labor, which is charged by Congress with administering this system so as not to "affect adversely" American citizens, collects statistics on the most intimate sorts of details about every other labor market. But it makes no attempt to gather, much less disseminate, the most useful sorts of information about the bracero system. A very peculiar oversight.

In the absence of any official data, and since the employers of braceros, understandably enough, do not report on the economic workings of their system, the best available evidence seems to consist of a sample survey conducted in 1956-59, by a Research Associate at the University of California, Berkeley, under a grant from the National Institutes of Health. Although this research project was not concerned primarily with social and economic considerations, a few questions were asked in these areas, on the assumption that they have something to do with health. (We shall comment upon this study again in a later section on Academic Freedom.)

The relevant evidence from this survey permits only one conclusion: that the bracero system is, from beginning to end, possible only because of the operation of a series of compulsions.

It begins with the fact hundreds of thousands of farm laborers in Mexico are slowly starving to death, and their government is doing little or nothing for them. The survey found that median wages of braceros, in Mexico, were 7 pesos per day, or \$.56 American, when they were working. On the average, these men were able to find work only 8 months of the year, resulting in median year-around wages of 4 $\frac{2}{3}$ pesos per day, or \$.37 $\frac{1}{3}$ American. When these several hundred braceros were asked the absolute minimum their families needed to buy food, the median response was 18 pesos per day, or \$1.44. This is obviously an impossible situation. When men are able to earn only one fourth of the minimum they need to keep their families alive, they grow desperate. They may make demands upon their government. If their government continues to do nothing for them, they may revolt.

But the Mexican authorities were spared the unpleasant necessity of planning for the elimination of chronic underemployment and grinding poverty in their country. They were spared the unpleasant possibility of another revolution over their corruption and indifference. When U.S. officials arrived in Mexico City in July, 1951, with an offer of a permanent bracero system, the rulers of Mexico were able to perceive that such a system was as much to their advantage as it was to the corporate growers of the U.S. Southwest.

Let us see how the system works, from the standpoint of a bracero himself. Pito Perez--the Joe Doakes of Mexico--worked for a hacendado in Guanajuato for twenty years. He was luckier than most of his compatriots. He was finally able to buy a tiny milpa of four acres, in the rocky hills outside of his village. He tried to grow corn and beans. He plowed his land with a wooden plow. He had no fertilizer. For water, he depended on the rains.

For several seasons in a row, the rains were scant. Pito Perez was not able to supply his wife and five children with tortillas and beans. He tried to get help from his relatives, but they were as poor as he. His children began

begging in the streets. He looked for scraps of food in refuse dumps. There were hardly any scraps. Everybody in the village was poor.

Then Pito heard about a possible solution to his problems. If he went to the county seat, he might be able to get a permit from the mayor. With this, he could go to a town called Empalme, Sonora, about a thousand miles away. There, he might be selected to go to the U.S. border. And at the U.S. border, he might be selected to work in California or Arizona. He was told that he would make at least 50¢ an hour, and maybe as much as \$1.00 an hour. Pito had never made more than a dollar for working a whole day. His friends told him there were many risks involved in trying to get a contract to work in the United States. But Pito decided to take a chance. Anything would be better than rummaging for refuse, and seeing his children begging on the streets.

Pito went to the county seat of his municipio. He learned that a permit would cost him 400 pesos--\$36--"because of administrative expenses." Pito understood. This money was a mordida. Literally, the word means "bitten." It may be freely translated as "tip," by the one who receives it, or "bribe" by the one who pays it. Mordidas are the necessary lubricant for almost any official action in Mexico.

Pito did not have \$36. But one of the mayor's aides told him of a moneylender who might be able to help him. The moneylender explained to Pito that he would need a good deal more than \$36 before he finished the contracting process. He would have to pay for transportation to Empalme. He would have to pay his living expenses while waiting at Empalme, and the waiting period might be three or four months. He would have to pay for other "administrative expenses" at various points in the process. Altogether, he would need at least 1,000 pesos, and probably closer to 1,200 pesos, to negotiate the contract stream: about \$85-100 in American terms.

Pito was stunned. He did not know any way he could get this much money. The moneylender asked if he had any property. Pito told of his four acres. The moneylender said that he would not ordinarily do it, but as a special favor, he would lend Pito 1,000 pesos, with the farm as security. He had Pito affix his mark to some papers, which Pito was unable to read, as he had only gone to school for two years. Later, Pito's wife told him the papers said he had to repay the money within three months, and that the interest was 15% per month.

Pito was somewhat frightened at this requirement, but it was too late for him to do anything about it. Besides, what other course was there? He couldn't stay home and starve. To keep up his spirits, he thought of the 50¢ an hour, which might become as much as \$1.00 an hour.

He took a bus to Empalme. There were 20,000 other men waiting there. A few hundred were taken inside the recruiting station each day. It took Pito several weeks to find out what he had to do. He had to make contact with an agente who would see that he got on the list of names which were called over the loudspeaker. He met one man who claimed to be an agent "with connections," and gave him a hundred pesos, but the man disappeared without doing anything for him.

After two months, Pito's money was nearly gone. His name had still not appeared on the lista. He finally met a man who actually did have "connections." The man said he could help him for 250 pesos. Pito did not have it. So the man said that it would be the same thing if Pito picked cotton at a ranch near Empalme, without pay, for two weeks. Pito did so.

After a few more days, his name was called over the loudspeaker. He was prodded into the recruiting station by the rifle butts of Mexican soldiers who watched over the procedure. The palms of Pito's hands were examined to make sure they were calloused. A man asked him if he had ever been arrested. Another man told him to take off all his clothes, and looked at him. A woman stuck a needle in his arm.

He was given a paper bag with some dry bread in it. He was put in a box car with a hundred other men and taken to the border. There, he was looked at again, asked some more questions, and finally told to put his "X" at the bottom of a piece of paper. Another bracero told him they were going to harvest lettuce for the Imperial Valley Farmers Association for 70¢ an hour.

This prototypical case actually puts a better face on the contracting process than it assumes for many braceros. The men call it la via de la cruz--"the way of the cross"--an allusion to Christ's journey to Calvary, carrying his cross, which plays a prominent part in the Catholic faith.

Following are a few statements from braceros themselves about their experiences during "the way of the cross."*

They have given me a 45 day contract. With what I will be able to make, I cannot begin to pay the cost of coming to the United States. Why, just the mordida at Empalme cost me 700 pesos.

We left Empalme about 1:00 in the afternoon, and got to Mexicali about 2:00 in the morning. We are packed into the freight cars like fish in a can. Once we get in, we can't move until we get to the border. If we need to go to the bathroom, that's too bad, unless we happen to be near the door. There was no drinking water in our car. I heard of braceros who fell out of the doors of these freight cars. It is a hard way to get to the United States.

I paid 450 pesos in Taxco, where I got put on the list to be sent to Empalme. Last year I paid 350 pesos at Empalme. In fact, I am still in debt from last year. I had to borrow more money this year. I am hoping to get a good enough contract that I can pay all my debts.

We suffered much at Empalme. At first, we had a little money to eat with. After that was gone, we had to beg for food.

One time, I met some friends at Empalme. They were from the same town I am: Nejapa, Guerrero. They had not eaten for nine days. Fortunately, I had some money, so I fed them for

*To protect informants from possible reprisals, their names will not be used throughout this paper. All statements have been translated, as accurately but readably as possible, from the oral Spanish in which they were given to us.

two weeks, before I had to leave. It seemed that they were never going to be able to get contracts, so I paid for their passage home.

I had to wait two months at Empalme. It is understood that there will be much sufrimiento (suffering) when one ventures to come to the United States as a bracero.

I caught pneumonia from sleeping on the ground at Empalme, while waiting at Empalme....Most of the men are weak from not eating, and may be sick from waiting around Empalme so long.

I overheard one bracero talking to a soldier. The bracero had complained because his name hadn't been called. He said, "What are you waiting for, more mordida?" The soldier hit him as hard as he could in the chest with his rifle butt. It knocked the bracero onto the ground. The soldiers don't use the guns to shoot people with. They just hit people with them.

I waited at Empalme over a month. Then I talked to an Army colonel who told me he would get me through if I worked for him for 15 days. I did, and then I got through. He was a colonel on guard at Empalme.

There were big crowds, fights, brawls, disorder at Empalme. The men get tired of waiting so long. I was there 22 days, but many are there much longer.

I waited at Empalme three months, and suffered very much. It was in the winter time, and got quite cold without any shelter.

The police have a law at Empalme that you cannot sleep out in the open. I think they are together with the landlords. They take you to jail if you sleep outside. The landlords have remadas--just roofs without any walls. The fee is 50 centavos for sleeping on the bare ground. For one peso, you get a straw mat. If you want a pillow, you use a rock.

Many men are sick here, because of the dirty water and filthy food...

The whole time I was at Empalme, I never had enough to eat. We had to pay 20 centavos for every glass of water we drank.

There are many hardships at Empalme. While we are waiting to get contracted, we don't have enough money to buy food. So we go to a cannery which is near Empalme. Every day they throw away some tomatoes because they are spoiled. We eat the rotten tomatoes. I have been living on them since January, and here it is, the middle of April. Many of the men who eat them get sick. So far I haven't; I have been lucky.

I mortgaged my home for 400 pesos to come to the United States.

Some of us heard that they needed work done on the Center here (i.e., at Empalme. ED.). We asked the man in charge of the Center--he is a North American, but he speaks Spanish. He said if we bought our own paint, and cement, and other materials, and did the work, we would get contracted. We have been working eight days now. We work from dawn until we can't see any more. We are in a hurry to get finished, because we are not getting paid anything during this time.

After paying a mordida of 350 pesos, I only had to wait 18 days. Some of my friends paid the mordida and then were refused contracts. They were just out of luck.

During the time I was waiting, I had to work picking tomatoes in Ciudad Obregón...They told us that if we did not do this, we would not get contracted.

Today I saw a man who was waiting to get a contract. He was with his family, which is unusual here in Empalme. There was a small baby, a little girl of about seven years, a middle-aged wife, an old man that could have been his father, and himself. They were all begging in the streets, and, in between times, looking in garbage cans. They were dressed in rags, carrying bundles. It was a sad sight to see. Finally, some people drove up in a big Cadillac, and gave them what appeared to be a plate of food. I think the people in the Cadillac were Americans.

Empalme is near Guaymas, which is where the North Americans go. Some of the braceros go down to Guaymas and wait for the American tourists to come in from their fishing on the ocean. After the tourists have had pictures taken of themselves and their fish, sometimes they throw the fish away. When this happens, the braceros are waiting, and they eat the fish.

The first time I went to Empalme, I waited around a month, and didn't come close to getting a contract. I got discouraged when my money ran out, and I went home. Pretty soon, the government circulated another notice that men were needed at Empalme, so I went back. I waited another month. I ran out of money, and had to send home for more money. That ran out, too. So finally I had to go home again. Then I heard of some other fellows from my region who were going to Empalme, so I went with them to try my luck...I found out what was required. I was told that you can get a contract in either one of two ways. You can pay for it. It costs 300 or 600 or even 900 pesos....The other thing you can do is work for farmers who own land in Sonora, near the city of Obregón, which is not too far from Empalme....Then you get the grower to sign a slip saying that you worked for fifteen days, and you take it to Empalme, and you can get a contract without having to pay any mordida.

I and my friends have to borrow much money before we come here. Many times, we have to borrow 2,500 pesos. We pay at least 10% interest per month, many times 15% per month. Sometimes more. We put up our livestock, and our land, and our houses as security. We have to repay the loans within three months, or else the person who loaned us the money will take over our livestock, and land, and houses, and everything.

It cost me 3,000 pesos to come here as a bracero. Some spend even more.

We have to pay 700 pesos mordida, and even then we wait from 15 to 30 days. But it is cheaper than waiting around for months to be contracted. Some of us have spent up to 4,000 pesos on room and board waiting six months. I myself waited 4 1/2 months. Then I managed to pay my mordida of 700 pesos. After that, I got contracted in two weeks.

During the time I had to wait at Empalme, I almost starved to death.

I have heard that a man may wait at Empalme a year before getting a six weeks' contract. And I heard of one case where a man died in Empalme. They did an autopsy, and the autopsy showed that his stomach contained nothing but paper. This is what he had been living on--all that he had been eating while he was waiting....

Some of the braceros go hungry. About a week ago, some friends of mine and I found another bracero under a tree in Empalme. He was dead. When they were trying to find out what he had died from, they found that all he had inside of him was two banana skins. He had starved to death.

I and five of my friends have all been rejected. All of us are ruined, since all of us went deeply into debt in order to come here to try for a contract. I sold my farm in Aguascalientes to raise money for the trip. My wife and six children are waiting at home, waiting for me to send them money from the United States. Now there will be no money, and there is nothing for me to go back to. I guess my children will have to beg....I wish I were dead.

All this may seem like an incomprehensible kind of madness. Why do they do it? Why do they come? It is a terrible lottery: a man may get a "good contract" and be able to pay his debts and support his family. Or he may lose everything, and be even more destitute than he was before. There is no way to know in advance.

Why do they come? Consider the alternative: certain destitution. At least under the contract system, a man has a chance. At home, he has no chance.

Why do they come? In the aforementioned survey, several hundred braceros were asked this question. Bracero-users and their fellow travelers speak grandly of braceros coming for travel, adventure, new experience, an escape from tedium. The men themselves do not agree. Nineteen out of twenty say they come for one reason only.

Replies of 303 Braceros to the question,
"Why Did You Come to The United States?"

Responses	Number	Per Cent
To get work	184	60.7
To make money	74	24.4
To support family	11	3.6
To stay as long as possible	17	5.6
To learn new techniques	2	0.7
Other	10	3.3
Don't know	5	1.7
TOTAL	303	100.0

Why do they come? Because they are driven by the knout of hunger. They come, not because they want to, but because they have to. In their universe, as they perceive it, they have no viable choice.

Economic compulsion is the mainspring of the mechanism, upon which almost everything else depends, and from which almost everything else follows. As the reader goes along, he must bear this in mind. He may wonder, as he learns of the kind of treatment braceros receive in this country, "Why do they put up with it?" Here is the answer: because the alternative is starvation. As between starvation and slavery, most men will choose slavery. It is this dreadful form of compulsion upon which bracero-users are capitalizing and from which they are profiting. We shall leave it to the reader to pass his own judgment upon the type of morality which takes advantage of hunger in a foreign land.

The choice between starvation and slavery, of course, is not a meaningful choice at all. An absence and a denial of real alternatives is at the heart of the bracero system. An absence of alternatives is another way of saying an absence of freedom. It is scarcely to be expected that from such seeds and in such soil a tree of liberty could grow--or even survive.

V. How to succeed in tyranny without really trying

One of the documents under which the bracero system functions is a Migrant Labor Agreement between Mexico and the United States.

Article 13 of this international treaty reads,

The work contract shall be entered into between the employer and the Mexican worker under the supervision of a representative of each of the two Governments....Such worker shall be free to accept or decline employment with any employer and to choose the type of agricultural employment he desires.

Only one of two conclusions is possible. Either this provision was drafted by ignoramuses who knew nothing about the employers, workers, and Governments they were writing laws for. Or it was drafted by cynics who knew such a provision was a total sham, but thought its inclusion would make the system more acceptable to a supposedly freedom-loving society. Certain it is that none of the administrators of the bracero program have ever paid the slightest attention to Article 13, and the whole system would collapse overnight if they did. Whatever may be the veneer of respectability in the International Agreement, in practice the workers' "freedom of choice" is an utter illusion.

The initial denial of this "freedom" frequently takes place at the Migratory Stations in the Mexican interior. Many braceros are "preselected," as the jargon of the trade has it, to work for certain employer groups. This preselecting is done, not by an employer's representative (as normally defined), but by agents of the U.S. Department of Labor. This is illegal in several respects, as well as immoral, but it is evidently necessary to the efficient functioning of the system for the following reason: by the time the men have arrived at the border contracting stations (which we shall consider in a moment), they have usually had a chance to discuss matters with their fellow aspirants, usually including several who have worked under contract before, know something about the various growers' associations, and may even know something about their theoretical rights. It becomes widely known that certain growers' associations are more undesirable than others. If selection takes place at the border, as it is supposed to, these associations may have difficulty getting as many bodies as they want--particularly if some amateur lawyer spreads the rumor that braceros are supposed to have freedom of choice of employer and employment.

So, witness:

A man selected us at Empalme [Migratory Station servicing California and Arizona growers] and told us we would harvest vegetables at 80¢ an hour for Artesia Growers.

We will be going to the Southern California Farmers Association....We were selected at Empalme by an American man....

I was never even told that I had been selected for the Imperial Valley. When they gave me the 4500 form [temporary border-crossing permit], it was already stamped "Imperial Valley Farmers Association."

The men are then shipped to the border. Since we are concerned, in this paper, with the subject of freedom, we shall have nothing to say about the quality of the transportation, except to observe that at the time of the National Institutes of Health study, prospective braceros were free either to ride to the border in freight cars—one hundred men per car—or go back to their villages.

In many ways, the border contracting stations, or "Reception Centers" as they are called, are the most interesting aspect of the entire bracero system. Since Migratory Stations are located on Mexican soil, it is perhaps understandable that their operation should manifest certain of the earmarks of an authoritarian society. But Reception Centers are located on U.S. soil. One might expect them to manifest at least some of the earmarks of a "free" society. If they do, intensive investigation has failed to reveal it.

The aspirants undergo further medical screening. Those who fail to survive this process are given transportation, free, to Mexicali. How they get home, if at all, is their problem, no one else's. Those who survive the screening process are eventually herded into the "bull pen," as it is called by the Department of Labor representatives who conduct the program. Those who have not been preselected are selected here.

Witness the "freedom of choice" which distinguishes the process. On February 20, 1958, an agent for one of the big citrus-growers' associations entered the bull pen and surveyed the 150 men who had been assembled for his inspection. He made a preliminary announcement which may be translated as follows:

This is what you can expect if you come to work for us Our association has many members. You will be assigned to whatever grower needs you. You will not be allowed to pick any grower you want, even if you may have worked for him before. The work is hard. We want only men who are coming up to work. We don't want you if you are looking for a good time. . . . We don't want you if you are a troublemaker and can't get along with your compañeros If you do a good job, and keep out of trouble, we'll give you a good rating, and you will have a better chance of getting another contract some day. The person who will give you your rating will be your foreman. See that you do what he tells you to. Is that clear Now, everyone who wants to work for us, get in line right here.

Since this was the only association scheduled to do any contracting for some time, there was no point in the men exercising their "freedom of choice," even if they had been informed of this "freedom," which they were not. Everyone passed in review before the growers' representative, a strutting little rooster of a man. As the peasantry of Mexico shuffled silently before him, this bracero-users' agent favored his English-speaking listeners with a running commentary which, without his intending it, constituted an extraordinary revelation of what is most wrong with the bracero system.

Ordinarily, I would turn down at least half of these characters. It's rough right now because the Government is only bringing in enough braceros to fill the orders on hand. But when things are going full blast, they got two or three thousand men a day milling around here, and you can pick and choose better.

You see this fellow here? He's the ideal bracero. He's the right size. He's built right. He's a farmworker, you can tell that

...he hasn't any big ideas. He's got the right attitude. He's humble, not fresh or cocky. He's an Indian type, probably from Jalisco or Guanajuato.

This guy here is a wise bird. Thinks he's tough. We'll have trouble with him....We'll have to haul him up on the carpet at least once, and maybe after that he'll behave himself.

This one here looks like he never did a good day's work in his life. Ten to one he's from Sonora. That's where the loafers come from. I'll ask him what he does....Says he's a bricklayer. Probably lying. Probably a loafer.

Here's one I don't like the looks of....Claims he's picked lemons around Fullerton. He's lying. If he ever picked lemons, I'll eat every box of them.

See that smart Alec sitting there, talking with his friend and joking? I know his type. He's lazy and irresponsible. When he gets up here, I'll send him over to the other side of the barracks. He and his friends need a lesson. Might as well put the fear of God into 'em now as later. They need it.

This one thinks he's a ladykiller. He won't pay attention to his business....

Here's another one I don't like the looks of. See? See how cocky he is? [Worker is calm, courteous.] Watch, while I talk to him. [Speaks in Spanish. Worker remains calm, courteous.] I told him he'd better wise up. I told him we're in business and we don't fool around. I told him he's not coming up here to have fun. I said I would assign him to a different camp from his friends. And I said I would keep an eye on him. If he gets out of line one little bit, there'll be no second chance. Back he'll go.

This one is a type I don't care for. He's no peon. He's too well dressed. Looks too intelligent. Almost white. He could pass for a Frenchman or anybody. The trouble with those kind is they're too ambitious. This is no place for them. They end up telling off the foreman and then there's trouble....Let them stay in Mexico.

Here's another no-good type. See that toothpick in his mouth? I've got a toothpick in my mouth, too. He thinks he's just as good as me....

A full analysis of this revealing commentary is impossible here. Suffice to say that, in practice, the only "freedom of choice" within the bracero system is freedom for bracero-users to choose men who are the most servile, most tractable, most docile, and whatever else may be the employers' notions of an ideal worker.

One bracero told us,

I had a lot of trouble getting contracted. The reason I had trouble is that they found out I had six years of school. They only want dumb people.

Another bracero said,

I always wear shabby clothes and sandals to get contracted at Empalme and here. After I am selected, I take a shower and change. The growers seem to prefer the dirty, poorly dressed men. They think that all the clean, well-dressed men are coyotes (argot for "sharpsters," or "city slickers." ED.).

Witness what happens when a would-be bracero attempts to exercise his "freedom."

There are about 80 of us that have been here 5 days. We were lucky enough to come from Empalme unselected. Most of the men selected at Empalme go to Imperial Valley or Yuma. I have never worked in either of those places and I don't want to, from what I hear. That is why I am still waiting. They want to force us to accept contracts in the Imperial Valley, but I am still hoping to go up north. When we turned down the Imperial Valley, a man put an "R" on the back of our 4500 form with a red pencil. Now each time a grower from up north comes to select men he just looks at our passport and turns us down.

They are trying to force us to accept contracts here in this valley where the pay is low. Today is our last day to be selected. It looks like we will be forced to accept the Imperial Valley or Yuma.

The architects of the International Agreement were farsighted enough to include, in addition to a guarantee of "freedom of choice" of employment, the following provision (Article 5) which, through such simple devices as the above, guarantee that the guarantee of freedom shall be inoperative: "A Mexican worker shall not remain at a reception center more than five consecutive days after his arrival from Mexico..."

Another bracero told us,

I waited for 2 months in Mexico City before I was put on the Yucatán State List and permitted to go to Empalme. When I got to Empalme I waited another 15 days before they sent me to El Centro. My friends and I got our contracts on May 19. The contract states that we were supposed to get 20 cents a sack for harvesting onions....When we got to the field we asked how much we were going to get, to make sure. They wouldn't tell us. After we started working, we found out we only got 15 cents a sack. They were big sacks. Working hard all day, the most I could pick was 29 sacks. This took me 11 hours. I wasn't making enough to pay for my board and insurance. All I got clear on my check was 41 cents. I am married and have 2 children, and I sure can't support them with 41 cents. I make more in Mexico.

...we were told that since we came so far, from the south of Mexico, that we would be able to choose an employer from northern California. We were ushered into the selection barracks, where we were offered contracts to the Imperial Valley. We refused them. Then the boy who runs the selection barracks marked something on the back of our passports showing that we had refused. Later, when employers from northern

California would come in to select men, they would look on the back of our passports and turn us down. They kept this up for 5 days.

Finally we were told that if we didn't accept employment we would be shipped back to Mexico. We were forced to accept contracts here in the Imperial Valley. We worked three days, and now we are quitting.

There are seven of us that left our jobs and are going back to Mexico. Out of these seven, I was the one who earned the most--41 cents. Another man made 26 cents, another one made 24 cents, and another one made 20 cents. We don't have enough money to get home.

Following is another graphic example of workers' "freedom of choice," in the words of a timid peasant from a tiny ranchito in the mountains of Guerrero.

This is my first trip to the United States. I came with my brother, who has been here before. I wanted to stay with him so he could show me what to do. But the man who was choosing workers in Barracks 11 selected my brother and rejected me. We pleaded to stay together, but they didn't pay any attention to us. Now I don't know what I am going to do.

Even worse perversions of Article 13 of the International Agreement exist, if it is possible to speak of one form of total perversion being worse than another. In the foregoing instances, at least there was fleeting, rudimentary contact between workers and employer representatives, which might conceivably be the starting point for some kind of labor relations, even though in most cases the contact was no more meaningful than that between a buyer and the slave on the auction block. But the system becomes even unhealthier, if possible, when employers abdicate their responsibilities entirely, and turn the contracting over to a third party. Much of the "selecting" in the bull pen at El Centro has for years been done by agents of insurance companies. This saves growers' associations the trouble of sending their own representatives. It is a frank quid pro quo, in return for the lucrative health insurance business given to the companies by the growers' associations--for which, incidentally, the braceros themselves are required to pay. (They are free, of course, to be shipped back to Mexico if they don't like the premium schedules or the quality of the services they receive.) The role of the insurance agents in the contracting process is strictly illegal under still another provision of the International Agreement, which prohibits the use of intermediaries operating for a profit. But no one has ever paid any attention to that one, either. Braceros are herded, virtually every step they take in the United States, by labor contractors who have never yet been known to operate without profit.

Unsavory as these systematic perversions may be, the program is perhaps most unsavory of all when agents of the United States government themselves fill the role of slave buyers. During the National Institutes of Health survey mentioned above, this was found to be a common practice. When growers' associations found it too expensive or troublesome to send their own representatives, and when insurance agents, bus drivers, or other intermediaries were unavailable, employees of the Department of Labor stepped into the growers' shoes as a matter of course. For example, on May 12, 1958, a Labor Escort (as bracero-pushers at the Reception Centers are called) said casually to all within earshot, "I'll select for Sacramento Growers today."

Dehumanization pervades the bracero system. It seems to infect everyone who comes into contact with these men. Perhaps after one sees enough thousands of people without names, without identity, consigned in bills of lading to this Reception Center, that Association, this grower, that contractor, it is impossible to continue viewing them as people, after all, and not commodities.

The El Centro Reception Center is operated by the U.S. Department of Labor. Employees are civil servants, presumably answerable to the people of the United States. But listen to this description of the pervasive attitude there, by a man who had worked there as a "labor escort."

It is a shame, the way the people at the Center treat the braceros. Nobody has any patience. Immigration, Public Health, Labor Department--it is all the same. Everybody curses the braceros and shoves them around. Right now they have a couple of young bullies running the photography section....If a bracero doesn't hold his head just the way they want him to...they give him judo chops across the neck, or grab him by the hair and shake him, or even bang his head against the wall. I saw them bang one old man's head against the wall three times, so hard I thought it would break open. He had something wrong with his neck, and couldn't hold his head straight, was why they got so mad.

And in the contracting line, where the men have to be fingerprinted and all of that, the employees swear at them very badly....The cursing is terrible. I saw one bracero go up to the Immigration man, and ask him, "Where do I go now?" The Immigration man, instead of telling him where the next barracks was, said "Beteala chingada." This means "go screw yourself." You hear this all the time. Many times the braceros are called a bunch of stupid asses: bola de pendejos. Estupido is very common, and so is baboso, which also means something like stupid, but is a particularly bad insult in Mexico.

Another thing you will hear over and over again is for an employee of the Center to call a bracero hijo de la chingada, which means something like "son of a whore." You hear this in the Public Health section, photography section, contracting section, everywhere. It is a very bad thing to say in Mexico, because they feel very strongly about their mothers down there. It is an especially bad thing for a young man to say to an older man. It is just unheard of. In Mexico, a man might even kill another man for saying this. But in the Reception Center, you hear it all the time from these young guys, even when they are talking to braceros old enough to be their fathers. The braceros don't do anything about it. They just stand there and stare. After all, what can they do?

But they fell pretty bad about it. I have seen a lot of braceros cry after they were talked to in this way. And it takes a lot to make a Mexican man cry.

There seems to be a selective factor at work in any job which gives people absolute power over other people. Positions as prison guards, policemen--and bracero-pushers--appear to attract those with a latent strain of sadism and fascism. Those who are not this way to start with seem to become brutalized by the system. It is apparently quite possible to succeed in the business of tyranny without really trying.

Following is another description of the sort of occurrence which becomes possible when men have too much power over other men. It is a notarized statement by an employee of the El Centro Reception Center.

On June 26, at about 5:00 p.m., I went to the front office of the...Center to find out how many men were to be fed supper that night. About ten minutes after five, I saw F____ O____ drive the Labor Department's pickup to the front door of the office. F____ O____ is the Transportation Assistant, GS-7, at the Reception Center. He drove up to about fifteen feet from the door. He grabbed a bracero who was waiting by the corner of the administration building. He grabbed him by the arms, from behind, and walked him, you might say, around to the right hand door of the truck....O____ opened the door and told the bracero to get in the pickup. The bracero said, in Spanish, "No, I'm not going." Then O____ picked him up bodily and tried to shove him into the cab of the pickup. But the man spread his hands and feet in such a way that O____ couldn't do it. Q____ tried to break him loose by grabbing one hand or one foot, but he couldn't grab all of them, so after a while, to try to get the bracero to break his hold and get in the cab, O____ reached around from in back and hit him in the face. Then he hit him at least once more. I didn't count the times he hit him.

I guess he finally figured he wasn't going to be able to get him in the pickup by himself, so he signalled to an Immigration employee who was watching through a window of the administration building. This Immigration man was named G____.... G____ helped O____ try to force the bracero into the cab, and they succeeded except for one foot, which the bracero wedged between the windshield post and the door--in the hinge. They couldn't get it loose. So just then a man named Bill Ledbetter, who represents several farmers' associations, came walking by. Ledbetter is an agent for Pan-American Underwriters in El Centro, but he holds the power of attorney for several associations, such as Agricultural Labor Bureau, San Joaquin Production Association and many others. He also crosses the men over as "specials." He had been loading some braceros on a bus for one of the associations he represents....He went over to the truck, and attempted to free the foot that the bracero had wedged in the door....They were still having trouble--that boy was small, but he was pretty wiry. To make him let loose, O____ struck him right in the face with his elbow. The blow was so hard that it jerked the bracero's head backward, and it smashed the window at the back of the cab. About that time, they got his foot loose. They shoved him into the middle of the seat, G____ sat on his right side, O____ sat on his left side and drove. They drove off. They were bound for the border, but I don't know what happened after that.

At no time during this entire episode, did the bracero attempt to defend himself, to ward off the blows, or to strike back. All he tried to do was to keep them from getting him into the truck.

Later, I found out that the man's name was Isabel Garcia Carbajal...and that he had been contracted by the Ventura County Citrus Growers Committee. I was told that some time earlier he had broken his collar bone while on the job, and had

been awarded a \$500 judgment by the State Industrial Accident Commission. The check had been sent to the Mexican Consul General in Los Angeles. When the man arrived at the Reception Center, he had been asked to sign a statement saying that he had received \$200, and was told that the other \$300 would be sent to him after he returned to Mexico. He had complained to Mr. Paz, the Compliance Officer, that he wanted the whole \$500, and wanted to wait there at the Center until it came.... He was sent in to the Vice Consul at the Center, Mr. Ramirez, who advised him to sign. He still refused.

After the truck got back from the border, some of the employees at the Center saw blood on the upholstery. Q___ stated that the bracero had cut his finger getting into the truck, and had smeared it over his face and shirt.

Probably not many citizens of the United States realize their representatives, and the majesty of their own government, are directly and unashamedly involved in the peddling of human flesh. Probably not many Americans realize they themselves, by their ignorance of this system, and their failure to protest it, are in a real sense implicated in it and responsible for it.

It is inconceivable that the bracero system could endure if Americans were required to spend an hour--a few minutes would be enough--personally witnessing the operation of a bracero center. Watching long lines of ragged, grey, parched men shuffling before a well-fed, well-dressed buyer of bodies. Watching grown men obey obsequiously when spoiled, arrogant teenagers snap their fingers. Watching the youngsters push around the men old enough to be their fathers. Listening to the youngsters curse the men, calling them "animals," and worse. Watching these ragged, grey, parched men weep, at times, as they are rejected. Watching human beings crush their strong sense of personal dignity to beg, sometimes literally on their knees, for another chance.

Unless he has become brutalized, like bracero-pushers, by extended exposure to such scenes, an American is bound to ask: "How is this possible? Can this be happening in the United States?" It is a nightmare, a vision of another culture, another world. One is at first numbed by disbelief. He stares, in horrified fascination. But then he realizes it is true. Depending on his nature, perhaps he becomes physically ill. Or he is unutterably depressed. Or perhaps he weeps with the braceros--and for his country. Or perhaps he wants to punch the soft faces and soft bellies of the buyers of bodies and arrogant teenagers. Or perhaps he vows to himself that he shall never rest until a new abolition movement has wiped out this new slavery and the conditions which make it possible, and built in their place a set of conditions worthy of a society which claims to value freedom.

VI. "The contract is a piece of toilet paper"

There are 41 articles in the Migrant Labor Agreement of 1951, as amended. There are 25 articles in the Standard Work Contract, as amended. The governments have issued "joint operating instructions" covering, in great detail, transportation, housing, handling of mentally ill and non-ambulant cases, exclusion of intermediaries, and so forth. The Department of Labor has issued literally thousands of rules and regulations for the edification and guidance of its "compliance" staff.

One of the defenses most characteristic of bracero-users is, "Just look at this maze of laws. The government's looking over our shoulders, every little thing we do. How can you ask for anything more?" The bracero-users rely heavily on the average law-abiding citizen's assumption that because a law says something must be so, it must be so. In the case of the bracero system, this assumption is as naive as assuming that if Congress passed a law repealing gravity, everything would float, suspended, and stop falling to earth.

In the first place, the laws supposedly governing the bracero system are entirely silent on some of the most significant phases of the system--such as the "way of the cross" in Mexico. In the second place, many aspects of the law are inherently unenforceable and unadministrable. Braceros are imported at the very wage levels which Americans have rejected as substandard, and this is supposed to have no "adverse effect" on domestic farm workers' wages. Such nonsense is every bit as demented as a repeal of the law of gravity.

Thirdly, the laws which are on the books, and which are at least theoretically enforceable, are simply ignored and evaded with total impunity in most cases. Anyone who gains the confidence of braceros in any bracero camp will be overwhelmed by anecdotes such as the following.

I was picking strawberries in San Martin, California. The headquarters of the Association was in Watsonville. I had a very bad contract. We did not work steadily, and we got poor pickings. Whenever the pickings were good, they lowered the price for a crate....The most they paid us per crate was 65¢. Many days, we only worked half a day. The boss was only keeping us so he could charge us board and not pay us much.

We had terrible food. The foreman treated us very badly; he yelled at us very much. He never priced the crates at the beginning of the day. He would wait until after work to see how many crates we picked and if we picked 10 or more, he would lower the price to 40¢ a crate....The last day of work at this ranch, the foreman gave orders not to feed us anything. In the afternoon, the cook told us he was going to feed us despite what the foreman said. A man from the Association came and talked to us....But he could do nothing for us because we belonged to a different Association. He gave us advice, but we were ignored by our Association.

In this place, there were many men not working. The ranch was running a business of boarding braceros--taking all that we made for board.

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When it came time to pay us, there was puro trinquete (much swindling). Some of the men had la suerte mas voltiada (bad luck), and hardly earned any money at all.

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Once there was a strike among the men in my camp. From the 20th of February to the 1st of May, we only got two checks, for \$48 altogether. We were getting short-changed. The consul came to the camp and told us that we would earn \$600 before our contracts were over. It was a lie. None of us ever came close to earning \$600.

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We don't know how much we are getting paid. It all depends on the man we are working for, and he hasn't paid us yet.

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I am not a field bracero. I work as a cook, and kitchen helper. I also do other jobs around the camp, like painting, and mechanical repair work. Some weeks, I work six days; some weeks, seven days. I work twelve hours a day. I get between \$30 and \$34 a week, net. I do not know how much they pay me an hour. They have never said.

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I was paid 50¢ for a crate of strawberries. It took me about half an hour to fill a crate. After I filled a crate, the lady that checked our cards would make me dump the strawberries on the ground and sort them out. This would take about another half hour. This lady would not mark down all the boxes we picked. Her son was working with us and she would add all the boxes that she stole from us to his card. We complained about this, but it did no good. I asked the Association for a change of camp, and they said no.

I hardly made any money. I would make from \$2.00 to \$8.00 daily. Mostly in the lower \$2.00 and \$3.00 area. From this, there were deductions. In the month that I have been here, I have been able to send home only \$25. Here is a letter from my wife. She says they are all hungry. They have nothing to eat but hard tortillas. She says the children want to leave home to beg. She asks, "Why do you not send money home?" After I received this letter, I borrowed \$15 from a friend of mine, who was very kind. I sent the \$15 home. Now I do not know how I will be able to repay my friend.

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I first came to the United States as a bracero in 1944. I picked peaches near Merced, California. I didn't come back until the 1950's, when I worked around Yuba City and Watsonville, California. Braceros are now treated much worse than they were in 1944. There is worse food, worse sleeping quarters, worse treatment. Instead of getting better, the program is going downhill.

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Before our contracts were over, the foreman told us that we would each have to pay to get on the list for recontracting. After he collected our money, we heard no more about it, until we were all sent back to the Reception Center to be repatriated. We were all made fools of.

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In the Islands of the San Joaquin, the dirt stings your body no matter how many times you take a bath. Also, it rained very much, and there was very little work.

For the first two weeks of work, I ended by owing the company sixty-six cents. When we asked about it, they said the first two weeks were only supposed to show us how to work, and we weren't supposed to get any pay.

Many times, we worked twelve hours a day, but we never got paid for more than eight. When we claimed the rest, they told us that no matter how many hours we worked, we only got paid for an eight-hour day.

When the Association agent (Department of Labor representative? ED) came out to the camp, we told him about this. We said that we did not want to sign the payroll until this was corrected. He told us to sign. I was once told never to sign a payroll if it was short, or else nothing could ever be done about it later. But the Association man said I was wrong, and to go ahead and sign the payroll, and he would fix it later. I signed, and that was the last I ever heard about it.

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The boss I worked for didn't give us anywhere near enough to eat. Just a little bit of food two times a day. He also robbed us of our pay, because he used crooked scales for weighing the cotton we picked. I came up here to try to support my family, but I have had a hard time with what I make.

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At the camp where we were, we never knew what the deductions were for. The checks didn't show it. The food was awful. The only times we were given decent food was when an inspector came to the camp, once in a while.

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It seems to me they should show us a record of how many boxes we picked and how much we were paid for each box. That way, we would know if there was a mistake. But they do not do that. ...when I get my check, it just has one number on it: how much I made libre (i.e., net. ED.). I cannot tell if I am being cheated or not. Why are there no inspectors who come here to help us?

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We had a very bad contract... Only one day out of the six weeks did we work by the hour. Then we got 90¢ an hour. The rest of the time we picked strawberries for 40¢ a crate. It took us almost an hour to pick a crate because the crop was very poor and the good berries were scarce. (When we complained) all the big chiefs of the Association came out to talk to us. They said it was all right -- the wages we were receiving were the same as the locals.

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An inspector came to the camp just once, but he did not look at anything, or talk to any of the men... I got a check that was short. I was robbed. But when I complained about it, nobody would pay any attention to me.

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The place they sent us to was a large dairy, near Girvin, Texas. Our housing was a barn, with the walls and roof made of tin. The floor was cement. There were fifty men in this barn. The bottom of the tin walls had huge holes in it, and the doors at each end did not fit properly, so that dirt blew into the building and it was always full of flies and rats. ... The barn had no windows and it was unbearably hot, but we were forced to sleep there. They had two showers for the fifty men, and we had to wait a long time for our turn... There is only one outdoor toilet in that camp. Even it is so filthy the men don't like to use it. One time, they killed a snake in the shower room.

We were contracted to work on tractors and as irrigators. Our wages were 50¢ an hour... I also drove the truck that carried the feed for the cows from the field. There were about 800 cows at that dairy. The braceros milked the cows, and raised the feed, and did all the work. All of the men employed at the dairy were braceros. I would say that most of the men had been there for over seven years. They just kept having their contracts extended or renewed. When this happened, they took them over to the Mexican side of the border, to Piedras Negras, where they touched Mexican territory for a second and then were eligible for another contract.

We had to work twelve hour shifts at this place. The company wanted to renew my contract when it expired, but I did not do it...

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Our camp in Manteca must have been the worst one in the area. ...bad cereal every morning, two sandwiches at noon, meatballs at night. The boss was very cruel and gave us very bad treatment. He always bawled us out and cursed us. There was much diarrhea in that camp because of the bad food. But somehow they always got warned ahead of time when an inspector was going to come to camp, and on that one day they would fix better food and clean up the camp. I was never in such a bad place before, and I hope I never am again.

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At Rio Hondo, we had six-week contracts. But they ran out of work in fifteen days, so they sent us back to Mexico.

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It is important that the people in the United States should know how hard it is for those that come from Mexico as braceros. Every time I have come to the United States, I have had to pay 1,200 pesos in Empalme to get on the list. Even then, I have had to wait from two to four months to get contracted.

My father is a good example of how Mexicans suffer because they wish to improve their income. At one time, our family had a small ranch in Jalostotitlan, Jalisco. My father spent a great deal of money in trying to fix papers to immigrate to the United States. When he went for his interview with the U.S. Consul, they gave him a reading test. On this basis, he was not allowed to immigrate, although his papers were in order. So then he went to Empalme to try to get contracted as a bracero. After three months, he returned home. His money was gone. He had failed to get a contract. By this time, he was desperate. He sold our farm, and spent 3,000 pesos for a false immigration visa. He was caught in the United States and deported. He was told that he could not enter the country again for two yearss After a two year wait, he went to Empalme again to try to get a contract as a bracero. Although he paid his mordida, again he was not contracted, and again he came home. This time, he went to the U.S. as a "tourist" -- without any papers at all. He was caught and sent to jail for a month and then deported again. Now we no longer have our ranch. And I am trying to support the family by working in the U.S. ...

In 1959, I went to Empalme for the first time. I waited four months, from March until the last of July, even though I paid the 1,200 pesos for my mordida. I was sent to Santa Rosa, California...for the forty-five day period of my contract. When my contract was over, I returned home, but I had made barely enough to pay my mordida. So back I came to Empalme, in 1960.

After the usual mordida, and waiting two months, I went to work in Salinas, California. I did not like Salinas at all. We only worked three and four hours a day. Many days we did not work at all, but we still had to pay for the board. Our pay checks for two weeks were around fifteen dollars. We got up at five o'clock to begin work at seven, and often we were back at the camp by nine A.M. We worked in thinning lettuce and sugar beets, and cutting lettuce.

If anyone wanted to change camps because of the short hours, they were sent back to Mexico immediately. ... But transfers wouldn't have done any good. All of the lettuce camps were the same. No one was working a full day. The wage was 85¢ an hour, but the hours were not enough. None of the braceros working in the lettuce made enough money to pay their mordidas in Mexico.

One bracero in our camp became so discouraged that he committed suicide by hanging himself.

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Our paychecks were short. All our hours were not paid. We complained to the foreman about it. His name was Roberto. He never did anything about it. But one time he told me that if I paid him, he would check my wages for me. He took \$3.80, which was all I had. I never saw my money again. This was when I was working in San Diego County.

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The work is bad. The cotton is no good. We do not work full days. Instead of working until 5:00, we work until one or two o'clock. I came to the United States because my parents are very poor. It was my ambition that I could help my parents. But I have been here a month, and all I have earned is \$15. I have spent no money on clothes or anything for myself. I had to borrow \$25 to send to my parents, and now I can't pay the \$25 back.

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Our barracks burned down, destroying all our clothes and money we had saved. We were never paid back for what we lost. But we didn't mind the barracks burning down. They were filthy. It was better sleeping outside. Once or twice the inspector came around, but he would just talk to the men in charge.

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I had no trouble until a checker, 14 years old, started rejecting my cucumbers. I picked up some he had thrown out and showed them to the grower. The grower said the cucumbers were all right... I told this to the checker and he said to get out of the field. I told the foreman this and he told me to get out, too. ... I went to report that I wouldn't be eating in camp that day. Raymond O_____ said it made no difference -- I would have to pay anyway -- whether I ate there or not. I said if I didn't work, I couldn't pay to eat. Raymond O_____ then said, "Don't get me mad, or I will beat the hell out of you."

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There is no use going to work. We do not make any money, anyway. When we weigh in the cotton, instead of only deducting four pounds for the sack, they deduct ten pounds. They cheat us.

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I and five of my friends have all been rejected. All of us are ruined, since all of us went deeply into debt in order to come here for a contract. I sold my milpa (small farm. ED.) in Aguascalientes to raise money for the trip. My wife and six children are waiting at home; waiting for me to send them money from the United States. Now there will be no money, and I have no milpa to go back to. I guess my children will have to beg in the streets. I wish I were dead.

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Our earnings in this camp are the same as we were making in Mexico.

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During the whole time, the biggest check I ever got was \$10. Mostly they were around \$4. I won't even be able to pay the debt I got into to come to the United States....We only worked two days at 90¢ an hour. The rest of the time we were paid by the box. Some days we would only make 3 boxes, at 50¢ a box. But we had to keep paying the \$1.75 a day for board....

Our forelady was the meanest person I have ever seen in my life. She would dump over the boxes of strawberries we picked, yell at us, curse us. The food was bad, the barracks were terrible. When it rained, more water would come inside the barracks than stayed outside.

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I had to pay much money to get from my village to Empalme. I paid 400 pesos to get a contract at Empalme. While I was in the United States, I made only barely enough to pay the debts I got coming here.

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A month ago, I got a letter from my wife saying she had to have some money to feed the family. The most I could get together was \$10. I gave the money to the foreman, who said he would mail it for me. That was nearly a month ago. A couple of days ago, I got another letter from my wife. She has still not received any money. I wonder if it is possible the foreman did not send it.

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I had a very bad contract on this trip. I was sent to Oxnard. I worked for the Ventura County Citrus Growers. We were supposed to pick lemons. But it rained a lot, so we were only able to work about three days out of each week, on the average....On the days that I worked, I made about \$4.00 clear. On other days, we made nothing, but they charged us for board just the same. In five months at Oxnard, I was only able to send \$110 to my family. That is only a little more than \$20 a month. It is not enough. I have a large family, with six children, and everything is very expensive where they live, in Mexicali.

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My friends and I were contracted from March until September, but we are quitting because we can't afford to keep working here. We were working in Santa Barbara County. We worked less than half the time, and only half the day even on those days. They told us that next week they were planning to cut down on our hours even more. That is when we decided to go back to Mexico. When we quit, they refused to pay us what was coming to us. They said we would have to wait a week, until they made out our checks. But we couldn't stay around there, waiting all that time, because they would have kept on charging us for the board, and we would have ended up owing them money. They owe each one of us for 54 hours of work at

36¢ an hour, and 176 boxes at 20¢ a box. Who can we see about getting our money?

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The first eighteen days we were in camp, we worked every day. Then we did not work a single day the rest of the month. We sat around for two weeks. We just sat around waiting to be sent home. We were charged for board the whole time. Most of the men ended with just enough to pay the board. I have just eight dollars left, from the whole month I was here. I live in Michoacán. That is far below the border. I doubt if I can pay for my transportation back to my home.

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We only worked about four hours a day. When you work so little, you make no money. I won't even be able to get to my home in Guanajuato. I will just have to stay in Mexicali and try to get another contract.

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Between the lines of these statements are dozens of violations of the Migrant Labor Agreement and Standard Work Contract. But, for the purposes of this paper, it is even more to the point to concentrate on those few Articles of the master documents which appear to confer on braceros certain rights and freedoms. These, we suggest, are the real touchstones of the system. If these rights and freedoms are real, perhaps the system may be tolerated. If these rights and freedoms are not real, it cannot.

In the previous chapter, we saw how braceros' putative "freedom of choice of employment and employer" works in practice. There are two or three other provisions which sound as though braceros may not be entirely without alternatives--i.e., entirely without liberty.

Article 12 of the Standard Work Contract states, "The Mexican Worker, within one week after his arrival at the place of employment, shall decide whether he wishes to obtain his meals at the restaurant of the Employer, when the Employer maintains that facility, or whether he desires to prepare his own meals." This sounds good. It sounds as though braceros actually have a choice between two alternatives in at least one sector of their lives. Braceros who are able to read their contracts at all quickly learn that this is another cruel hoax, to which nobody involved in the administration of the system pays the slightest attention.

So far as is known, no bracero in the history of the program in California has ever been given the aforementioned option. When government officials in charge of enforcing the contract are asked about this curious circumstance, they reply as one of them did when interviewed in 1957:

If the Nationals cooked for themselves, they would be worse off than they are now. The Nationals are technically given a choice between eating in the camp facilities and cooking for themselves. We do everything we can to discourage their cooking for themselves. As you can imagine, when there are a lot of tiny little facilities scattered around, it makes our job much more difficult. So we put pressure on the employers and as a result many of the Associations are saying to the men, in case the men raise

any question, "You eat with us or else." The men don't want the "or else" part of the deal, so there is very little trouble.

It is not our intention here to examine whether, in fact, braceros would be worse off cooking for themselves. This question is totally beside the point. The immediate point is that the law says, unequivocally, that braceros shall have a certain freedom of choice. The more basic point is that free societies operate on the premise that men shall have the right, among other things, to make mistakes, to be foolish, to do things which are not in their best interest. It is the democratic faith that, in the long haul, men are happier, more productive, and healthier in ways which really matter, operating under this right than under a system in which an employer or a bureaucrat or somebody else says, "You will do it this way because I know what is good for you."

Article 11 of the Standard Work Contract reads:

The Mexican Worker shall be free to purchase articles for his personal use, in places of his own choice and shall be given an opportunity, once each week, to go to locations where he can obtain the articles desired.

Where the location of employment is not within walking distance of the town offering the desired articles and public transportation is not available, the employer will make arrangements for transportation.

The "opportunity, once each week...": a pitiable imitation of freedom. But many braceros do not enjoy even this pathetic guarantee. It will be noted that Article 11 does not define "walking distance," or spell out the "arrangements" employers are supposed to furnish when public transportation is unavailable. In some cases, bracero camps ten or twelve miles from the nearest shopping facilities offer no provisions whatsoever for transportation. Presumably, a round trip of twenty miles or more, after a hard day's work in the fields, is considered "walking distance" for a bracero. In other cases, foremen or supervisors may provide transportation in a pickup or flat bed truck, but charge as much as the traffic will bear. This was found to be the practice among the feudal ranch-kings of the San Joaquin Delta, for example, where there is absolutely no other way for the men to get off the island of their employment, or back on it. Since the charge of \$2 for a ride into town was too much for many of the workers to pay, many of them never went into town at all during the time they were in the United States--despite their theoretical "freedom" to do so once each week.

A labor contractor in the Sacramento Valley reported another variation on the same theme:

I'll tell you how [this regulation] worked with the CPC Nationals here. The camp management would take them into town once a week, all right. Took them in two buses.... But they took them into town so late at night there was only one store open--the one owned by J____. Well, right down the line, this [merchant's] prices were 10% higher than the prices the Nationals would have to pay anywhere else in town. And [the merchant] was giving a 10% kickback to the operators of the camp. Pretty good deal for everybody involved, except maybe the Nationals.

During the course of a study conducted under the University of California, the braceros in a camp in San Bernardino County--widely considered to be a "model" camp--were asked if they had ever been to town during the course of their contract. Two-thirds of them said they had not, even though their camp was less than five miles from a city with a large Spanish-speaking population.

Under Article 3 of the Standard Work Contract, braceros are supposed to be covered by workmen's compensation insurance, for which the employer pays, and non-occupational insurance, for which the workers pay. Although coverage is compulsory, there is, theoretically, a modicum of freedom within the braceros' medical care arrangements. On paper, it is stated that they are to have freedom of choice of physician.

There is no aspect of the system in which freedom is more mocked, and there are few aspects of the system about which braceros themselves feel more bitterly.

About a month ago, when I was cultivating tomatoes, I got a pain at the bottom of my back. I asked to go to the doctor. But the camp caretaker refused to take me...He would curse us and say that we were not sick and that we needed no medical treatment. One morning some of the other braceros and I were waiting to go to the doctor, and the camp operator came out and said, "All you sons-of-bitches get back to work." What could we do? We went back to work.

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They will not take a bracero to the doctor unless he is dying. When I was working for the association in Goleta, in January, a friend of mine got sick. They did nothing for him but give him pills. He kept getting worse. Finally, he got very sick and they operated on him. Now it is May, and he has still not been given a cent. Another man at this same camp hurt his eye. He was refused medical treatment for fifteen days. Finally, he went in on his own and was taken care of.

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When I was working near Strathmore, I once asked the mayordomo of the camp to explain the health insurance to me. He refused.

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I worked for the Central Coast Farm Labor Association. There may have been a doctor we could go to, but, if so, we never heard anything about it.

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Several of my friends and I have been sick in this camp. None of us have ever seen the doctor that the Association (Imperial Valley Farmers Association. ED.) is supposed to have. Whenever we go to the doctor, he is never there. The secretary or the nurse are the only ones who ever take care of the sick braceros. They just give pills.

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Day before yesterday, I was contracted to work in the Yuma Valley. Yesterday, I got sunstroke. Today, I am being sent back to Mexico.

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When I was working for the association at Santa Paula, I got sick with eye trouble, and had to see a doctor about six times, and missed nine days of work at one time. The insurance did not pay for any of this. I had to make up the board after I started working again. Altogether, I have only been able to send \$165 home in the year I have been here.

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My brother lost a finger while he was working up here as a bracero. He was working as a carpenter in the bracero camp. He never got a damn cent.

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I got sick in the stomach and was taken to a doctor. The doctor gave me some X-rays, and then some shots and pills. He told me not to work for eight days. He did not explain a thing to me nor did I ever see him again. His bill was \$22.50, and I had to pay it myself. It was taken out of my check despite my protests. After eight days, I was still not cured, but I went back to work, because I couldn't afford to miss any more work. As it was, I lost eight days of work, had to pay the doctor on top of my insurance, and did not get cured. If I had known this was going to happen, I never would have gone to the doctor in the first place.

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I have been working for five years as a "special" for the Yuma Producers Cooperative. I have not been to Mexico for more than a few hours during that whole time. Now I am being kicked out of the U.S. because they claim I have tuberculosis. If I do, it is because I got sick here. I have been a good worker. I picked cotton, cultivated, and irrigated. I never missed a single day's work. ... Why don't they cure my tuberculosis here? We pay for our insurance. This is what insurance is supposed to be for. Don't we have any rights at all? The insurance is supposed to take care of us if we get sick in this country. Now I am being sent back to Mexico and I will have to take care of myself. ... The strongest memory of the United States I am going to take with me is the way they mistreat braceros here.

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I have just finished a contract with the San Diego County Farmers. ... We were always being yelled at, shoved around, and abused. Whenever we wanted to see a doctor, the boss always refused to take us to him. When I got sick in my kidneys, I had to buy my own medicine. One night, at about eight o'clock, one of the braceros got very sick. We went to the boss and said that we thought the bracero should be taken to the doctor immediately. He said we were afraid he might die. The boss just laughed and said, "Let him die."

The next morning, the bracero died.

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Recently I was in an automobile accident, and received a blow on the chest. I was quite sick from a pain in the lungs. The pain was so severe that I could not work for two days. But when I asked the campero what I should do about it, he said, "Nothing. Since there is no blood showing, it can't be a serious injury."

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In January, I got the flu. I felt very sick, but when I asked to be taken to the doctor, the boss got very angry. They don't want to take us to the doctor....

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During my contract last autumn I got sick. My stomach and chest hurt. I don't know what caused it. I went to see a doctor who took care of the men in that camp. He said I needed to stay in a hospital for several days....But I never got to go to the hospital because I got kicked out of the country. The reason I got kicked out was because I went to the doctor. My contract had not expired. It still had another month to go. My boss just kicked me out.

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I was a bracero in Arkansas. I picked cotton in September and October. We had a very mean boss. Even if we got sick, we were never taken to a doctor. None of us braceros even knew the doctor's name, or where he was. It was the same with all of us. We never got a chance to see him even though we got sick. My strongest memory of the U.S. is the bad treatment we got from that boss. I never did find out his name.

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I have no idea what the doctor is like who is supposed to take care of the braceros here. The braceros have a very hard time trying to get to see the doctor, since the boss will not take them.

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From December to March, I was contracted to Imperial Valley Farmers Association. I worked at El Centro and Borrego Springs. I did not even get work half of the time. My checks were around \$6.00 a week. In March, I was recontracted to the Blythe Growers Association. I was sent to Camp California, in Blythe. The food was terrible. They always left soap on the dishes when they washed them. Many of the braceros quit in disgust and went back to Mexico....

I got sick. I think it was the food that made me sick. I went to the doctor. He said I was lying--that I was not really sick. The receptionist in the doctor's office was very mean, also. The doctor got very angry, and refused to give me any treatment. I said that I was going to talk to the Mexican Consul. The doctor and the receptionist said that I could not see him....

I went back to work. A few days later, my legs, hands, arms, and face got swollen. They felt like pins were sticking in them. But I was afraid to go back to that doctor. He was mean and rough to all the men. Many of the men were afraid of him, and would not go to him for this reason.

When I tried to work, my whole body would get swollen and sore. I did not even work three days out of a week. I only made enough to pay my board. Some weeks I did not even make that much. I finally decided to go back home.

Now I would like to get medical treatment. I do not want to be sent back like this. I will be useless in Mexico in this condition. I will not be able to help my parents on the farm. I have not told my parents that I am sick because I am so ashamed. How can I return home when I have no money at all, and I am sick besides? Don't we have any rights?

I went to the representative of the U.S. Government and he was very cruel to me. Now I want to see the Mexican consul. I will see if I have any rights, or not.

* * * * *

During my contract, I was driving a tractor for the California Packing Corporation, near Rio Vista (Illegal occupation. ED.). One day I tore my side while working. I was taken to a doctor in Rio Vista. All he gave me were little white pills that were no good. I went several times and he never cured me. This went on for a month and a half. Meanwhile, I kept on working despite the pain. When I finally could not bear it any longer, I was taken to a hospital in Sacramento. Three days later, I was operated on. Three days after that, I was taken to the county hospital, where I stayed for about two weeks. When I got out, I went to the camp where I had worked and asked for my wages for the days that I had worked before I got sick. I had \$38 coming in wages. The camp superintendent just laughed at me and said that I owed the money for my board while I had been in the hospital. How could that be when I had not eaten any meals in the camp during that time?

I never got a cent from anybody, not even the insurance company, for the time I was sick. In fact, I ended up in debt.

* * * * *

In October, I was in an accident. The truck taking us to work tipped over. I was injured, and could not work for three months. They gave me \$2.85 a day. When I left for Mexico, in January, the consul told me I was supposed to get a check for my injury. That was six months ago. So far I have gotten nothing.

* * * * *

I was in Empalme for two months. I had to work for two months picking cotton. This is the way to get a letter of introduction to the migratory station.

I went to El Centro to the Reception Center....There at the Center I was told that I was going to Santa Barbara to pick lemons. I was given a contract to sign but nothing else was said. No one explained my rights to me or to anyone else. I can read Spanish a little so I did the best I could with the contract....I made the trip to Santa Barbara by bus. We were given a sack lunch and we made one stop at a gas station. We traveled about eight hours....

I started work on the 30th of November and I started to learn to pick lemons....I worked for about three months.... But one day in March I fell from a ladder and injured my back. The foreman noticed me when I fell. Later, I was taken to see the company doctor, Dr. Dodd. The doctor saw my back and gave me an injection in the rear.

The company doctor didn't say anything...finally I was getting no better, so I went to see Dr. Sanchez, in Santa Barbara, on my own. Dr. Sanchez took X-Rays and treated me and he sent me to a specialist. I was not able to work. I wrote to the Mexican Consul for help and advice, he never came to see me. He wrote to me telling me to try to get the company to pay for my medical expenses.

The camp manager and others were not helping me, but I finally got some help from Mrs. Elvira Quiroga of the CSO, who helped me get medical attention and helped me fill out the forms for State Compensation. She also helped me get a lawyer....I was glad that I got a lawyer to help me because I have seen other contracted workers sent home without compensation for their injuries and without being well. I did not want that to happen to me. There is a lot of pressure put on us, when we get hurt, to leave for Mexico. The company doctor ignores our illnesses by giving us the same pills for a headache and colds as he does for other injuries. I saw other workers getting the same treatment as myself, even though their illnesses were entirely different.

I was sent to the Santa Barbara Medical Clinic, where I had an operation by Doctor Graham. While I was in the hospital, I was given a check for \$200 from State Compensation. But Doctor Graham says this injury is permanent. I will not be of much use in Mexico. I will not be able to work like before. I don't know what will become of me.

I am thirty years old. It was possible for me to earn about \$18 per week in Mexico before I got injured. Now I don't know what I'll earn. I hope that I can learn some other type of work where my back will not bother me.

This statement has been read to me in Spanish and is true and correct to the best of my knowledge.

* * * * *

There was a very good friend of mine here in the San Gabriel camp. He came from my home town in Nayarit....My friend was working on a farm near here, running a grass-seeding machine. (Violation. ED.) He was trying to clear some weeds

from the blades of the machine when he received a cut on his index and middle fingers. The cuts in themselves were not too serious, although the cut on the middle finger did reach the bone. He was immediately taken by the mayordomo, Mr. Piedra, to see the doctor....The doctor that attended him sewed up his fingers, put a bandage on them, and sent him back to camp saying that he would require no more attention.

Three days after the accident, my friend complained that his hand and arm hurt. He asked Mr. Piedra if he could see the doctor...he was refused a chance to see the doctor again.

A few days after this, my friend complained that the pain had reached his shoulder and that his hand was starting to smell bad....In desperation, my friend finally, one morning, sneaked onto the bus that takes the patients from the camp to see the doctor. But on the way to the doctor's office, Mr. Piedra saw him at the back of the bus and ordered him to get off and walk back to camp....

On the day after this, my friend again reported to Mr. Piedra. By this time, he could barely stand up. He was finally taken to the camp doctor. The camp doctor took one look at him and sent him immediately to the General Hospital in Los Angeles. Soon after he arrived at the hospital, he lapsed into a coma and never regained consciousness again. He died from the blood poisoning.

During this time, a man from the Mexican Consulate in Los Angeles came to the camp on an inspection....We told him all about the case of my friend, and the way he had been treated. However, the man from the Consul did not put any of these things into his report. I think this might have been due to the fact that he and Mr. Piedra are close friends.

* * * * *

The reader's mind may boggle. How can the system endure in the face of such abuses? Surely these stories spread the length and breadth of Mexico. Why do braceros continue to come? The lash of hunger lays heavier on the back than the fear of disabling occupational injuries or even death.

But, then, the reader may wonder how the system can possibly survive in the face of such widespread grievances. Surely, the administrative machinery must become hopelessly bogged down in processing workers' complaints. Not at all.

Any layman, in talking to a dozen braceros, could find a hundred complaints--but the government representatives who are being paid by American taxpayers to "police" this program either deny the existence of complaints or are ignorant of their existence. How is this possible? It is the outgrowth of a remarkable invention. American ingenuity and know-how have developed instant coffee, instant tea, instant puddings, instant cereals, instant powdered milk, instant mashed potatoes. True to the tradition which has made this country great, braceroholders of the Southwest have developed an amazing new product: instant repatriation.

The reader may have noticed, in several of the braceros' statements already quoted, the implied threat that they would be deported if they pressed their complaints. In any discussion in which braceros are free to speak their minds, one hears of this threat, over and over again.

When we complain to the foreman, we are told that if we do not like it, we can go back home. Several of the men have gone back home. Several have gone back because they are robbed of pounds when they weigh in. Last week a bracero named A___ M___ complained of a shortage when he weighed in. The shortage was 8 pounds. The foreman threw the cotton sack back at him, and it struck him in the face. His eye was injured, and he went back to Mexico.

* * * * *

The first two weeks were all right, because we got paid by the hour. The rest of the time we got paid by the box. During that time, I never got enough to pay for my board and insurance. In fact, I still owe them money for my board. Right now, I haven't got a penny in my pocket. Some braceros got 9¢ checks. Some broke even. Some owed the Association money at the end of the work period. Many men quit their contracts. When we told the boss that we wanted to work by the hour, he got angry and said we were all lazy. We told him that we are not afraid of work, but that he wanted to get us to work for nothing. He said if we didn't like it, to return to Mexico. He said there are plenty of other men.

When we showed the association agent (USDL representative? ED.) the check stubs, all he said was, "Well, boys, we are all Mexicans and we don't give up. Keep working."

* * * * *

I was contracted three days ago and here I am on my way out to Mexico. Why, I was only making enough to pay for my board. I told my boss that I had a family to support and that I needed a job where I could at least make seventy cents an hour. He took me to the Association where I was told to either work for my present boss or return to Mexico. I choose to return to Mexico. I owe my boss \$4.71 for board and insurance. Seven other men chose to return to Mexico at the same time I did. They said that they have worked in many places and that this is the worst. If they continue here, their families will starve. They bring new braceros to this company every day because nobody lasts there over a week.

* * * * *

About two weeks ago, all of us got tired of being sent to fields where the cotton was all leaves and no bolls. We couldn't even make enough money to pay our board. Besides, we were tired of being cursed by the foremen because we missed some bolls hidden by the leaves. So on September 28, when we were taken to the worst field yet, we just sat down on some dirt by the field, and refused to pick. Some of the men walked all the way to the Association in El Centro--five or six miles away--to complain. A man named F___ came out from the Association to

talk to us. He said we would get better cotton to pick if we would go back to work. Some of the men didn't believe him, and asked to be transferred to another camp. They were sent back to Mexico. Most of us kept working for the W _____ Company, but nothing was ever done for us. None of the things F _____ said have ever come true.

* * * * *

I don't even make enough to repay me for the suffering and bad food. I do not know why they take off eight to ten pounds every time I weigh my sack. All that should be taken away is four pounds for the sack. We have been told that anybody that can't make enough for their board bill will be sent back to Mexico.

* * * * *

Here at the V _____ Camp, during the past two weeks, we have been making only \$1 to \$4 after deductions. That is picking strawberries. We wish we could pick by the hour, but they make us pick by the contract. When one bracero asked, "Are we working today by the hour or by contract?" he was promptly taken to the Association and repatriated.

* * * * *

I have not even been making enough to pay for my board and insurance. I owe my boss \$4.71 right now. I told him that I had a family to support and that I needed a job where I could at least make seventy cents an hour. He took me to the Association, where I was told to either keep working for my present boss or return to Mexico...

* * * * *

They had me driving a tractor in the Imperial Valley. One time, it turned over, and hurt my leg. I said I needed to see a doctor. The foreman was very harsh. After the doctor had taken care of me, he told the foreman to bring me back in three days... But when we got outside, the foreman bawled me out and said he wouldn't take me back. He said it was costing the insurance company too much money. He threatened to return me to Mexico.

* * * * *

I have worked as hard as I could, and only made \$6 clear in fifteen days. One of the things is that they will not let us work all day, unless the cotton is very bad; then they don't care. But if the cotton is good, they will bring us back to camp early. ... All of us are very unhappy, but there is nothing we can do about it. We have been told that if we ask for a change to a different camp, we will be sent back to Mexico.

* * * * *

The camp we were in is filthy. It has already been condemned, but it is still being used. We can never complain because we are sent right back to Mexico. If we go to the consul to complain, the boss is always there. If he sees us in there, we can expect to be sent back to Mexico with a bad report.

* * * * *

talk to us. He said we would get better cotton to pick if we would go back to work. Some of the men didn't believe him, and asked to be transferred to another camp. They were sent back to Mexico. Most of us kept working for the W____ Company, but nothing was ever done for our benefit. None of the things F____ said have ever come true.

* * * * *

Our foreman was very mean, always swearing at us and bawling us out. He would get so mad he would almost hit us. Those that complained were sent back to Mexico. Anybody that complained was called a striker and shipped back to Mexico.

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In a few cases, braceros become angry enough to defy the threat and to take the consequences. But in the overwhelming majority of cases, the threat of deportation, coupled with the knout of hunger and the heavy debts incurred in Mexico, keep overt complaints to an absolute minimum.

The threat of instant repatriation is no idle one. Virtually every bracero can relate cases, from his personal knowledge, in which contracts have been terminated prematurely because a bracero attempted to exercise one of his nominal "rights."

Last October, I was working in Arizona. I began to feel a pain in my stomach. It was from too little food and too much hard work. I went to a doctor. He didn't tell me what was the matter with me, but he said I should be put in the hospital. Instead, the association ended my contract.

In addition to the perpetual threat of instant repatriation, there is the possibility that the same result may be obtained by subtler and slightly slower means. The manager of a "model" bracero-users' association in Southern California, in an unguarded moment, said,

If a man is a problem, we get rid of him just as soon as possible--that is, as soon as his contract expires. We use only short term contracts here: six week contracts, subject to renewal if we still need the man, and if he has a good record. We keep personal records on every man in camp. We know all about him: what kind of a worker he is; whether he has gotten into any trouble; etc. The men know that we keep these records, and we figure that if a man is really interested in staying in the country and working, he will keep his nose clean. The percentage of those that we have to repatriate on account of trouble of any kind is never very high.

A recent case from another "model" citrus association demonstrates with dramatic clarity how the blacklisting system works. A bracero whom we shall call Juan Doe had just completed eighteen months of lemon-picking for the Santa Barbara Labor Association, 535 E. Montecito Street, Santa Barbara, California. During his contract, he had endured stoically everything which came his way. On the morning of July 2, 1962, he was given a letter reading,

[Juan Doe] has completed his contract with this association we are terminating his contract for this reason. His work at this

association has been satisfactory and we can recommend him as a diligent worker.

The letter was signed by Ezequiel Villaseñor, Jr., manager of the Association. With this letter in his possession, Juan Doe felt bold enough to ask to be taken to a doctor for a condition which had been troubling him for some time. He immediately learned that as long as he was in the United States, he could still be reached by the long hand of tyranny. The letter commending him as a "diligent worker" was withdrawn, and replaced by a form letter which is used for the purpose of blacklisting braceros. It read:

[Juan Doe] has completed his contract with this Association. During his stay here we have found his work to be highly unsatisfactory and his attitude toward supervision most uncooperative and for this reason his contract is not being extended.

This letter was also dated July 2, 1962, and was also signed by Ezequiel Villaseñor, Jr., manager of the association. What can transmute a bracero instantaneously from a "diligent" worker to one who is "highly unsatisfactory?" The fact that he asks for one of his rights. In a twinkling, his "attitude toward supervision" becomes "most uncooperative." Juan Doe will probably never be able to get another contract. The system has no further use for him, or for any of his fellows who have ever showed any spark of independence. But the bracero holders aren't worried. No matter how long the blacklist may grow, there is still plenty of hunger on the high plains of Mexico, and there are still plenty of men who are willing to submit to peonage rather than to see their children suffer.

The reader's mind may still refuse to credit the words he reads. He may think, "But, surely, there must be some recourse, some redress, some avenue, something..." There is. On paper.

By all means the most important freedom "guaranteed" to braceros under the peculiar institution's legal framework is found in Article 21 of the International Agreement:

The Mexican Workers shall enjoy the right to elect their own representatives who shall be recognized by the employer as spokesmen for the Mexican Workers for the purpose of maintaining the work contract between the Mexican Workers and the employer....

If this right were actually operative, it would go a long way toward overcoming the denial of all the other rights we have examined. But the fundamental right of representation is the most universally, systematically, conscientiously flouted of all. And for good reason, from the bracero-runners' point of view. The bracero system would no longer be the bracero system--no longer a captive labor program--if the workers were allowed to have spokesmen and even the most rudimentary form of labor-management relationship. This implies worker organization, and worker organization is the form of freedom which the slave-holding mentality will always fear most and fight most venomously.

When workers try to uphold their right of representation, by selecting spokesmen from among their own crews, they invariably find their spokesmen are deported as "troublemakers," "Reds," and "agitators." When American unionists--who are not subject to deportation--have attempted to act as braceros' representatives, or even to inform braceros of their "right of representation," they have been arrested for trespassing. In the following chapter, we shall discuss at length an extraordinarily important case in which the denial

of the right of unionists to contact braceros was upheld by the People of the State of California, in the Justice Court and Appellate Court of San Joaquin County.

Everybody associated with the bracero system, then, is fully aware that braceros do not, in practice, have the right of direct representation and were never intended to have this right, as it would destroy the very foundations of the system. What, then, is done about the multitude of problems which naturally arise when several hundred thousand men are herded from one country to another and back again? Even if the men themselves tend to be as mute as herded livestock, certain administrative problems are naturally going to arise in any program so vast. There are several ways for treating such problems. The "enforcement procedure" occupies more than six pages of fine print in the Migrant Labor Agreement.

For one thing, braceros (in common with all citizens of Mexico in the United States) are supposed to be represented by Mexican consuls. Some consuls try to do a conscientious job. Even when this is so, the pure libertarian may not find it a fully acceptable solution, since braceros are not in any sense a constituency for the consul--he is not answerable to them politically, economically, or any other way. But several factors interfere with even this less than satisfactory solution. In the first place, there are only half a dozen consulates in the entire State of California, and proportionately few in other bracero-using states. These consulates have small office staffs and no field staffs at all. However good their intentions, they cannot possibly safeguard the interests of hundreds of thousands of unhappy men, in thousands of camps, scattered over tens of thousands of square miles.

In the second place, hardly any braceros know they are entitled to representation by a consul, and fewer know how to get in touch with a consul even if they want to. They are not given this information by their employers.

In the third place, as mentioned earlier, most braceros have had experiences with officials which make them extremely distrustful of all representatives of their government. They are afraid to go to a government agent--afraid he will extort more "bites" from them; afraid that he is in league with the growers' associations.

And, in the fourth place, in too many cases these fears are justified. The publisher of a Spanish-language newspaper told us,

I have often wondered how the wining and dining of Mexican officials by growers influences their viewpoint and their judgment. Theoretically, the consuls are supposed to represent the interests of the braceros. But they have very little contact of any kind with braceros--certainly not of a social nature. On the other hand, they have a great deal of social contact with the growers' representatives. I'll give you an example. A couple of years ago there was a fellow managing the R_____ bracero camp. He started out with nothing, but one way or another he became an extremely wealthy man. He became very friendly with the Mexican Vice-Consul in San Bernardino, who was responsible for the braceros in that area. He was always having cocktails and dinner and so forth with the Vice-Consul. Finally, he arranged for the growers' association to throw a testimonial dinner for this fellow. The high spot of the evening was that the growers gave the Vice-Consul a shiny, new Cadillac. Now, it happened that I knew this Vice-Consul

pretty well. So the next time I saw him driving around in that car, I pretended I didn't know how he got it. I said, "How come you got that big, black Cadillac?" He winked at me and said, "There's one thing you can always tell whenever you see a big, black Cadillac. You always know there's a son-of-a-bitch inside."

A field representative of the U.S. Department of Labor, in a different consular region, told us

I sure wish somebody would look into the activities of the various Mexican officials who are involved in this program. Don't look at me. I'm not the guy to do it. But there's a Vice-Consul over in San Diego, for example, that I happen to know a little about. When he went in, a few years ago, he was a nobody. He had no money; he got his appointment for political reasons. He is a rich man today, and I can tell you that he didn't get rich on his salary. His full-time work was supposed to be supervising the bracero program in this area... Now, get this: not long ago, the Farmers Association put on a testimonial dinner in his honor, and gave him a black Thunderbird. I'm not saying anything one way or the other, you understand. If you quote me, I'll say you're a liar. But I'm just curious if two and two still make four.

The second recourse theoretically available to braceros with grievances is the U.S. Department of Labor--or, more precisely, the 50 or so field representatives who are paid about half a million dollars a year by U.S. taxpayers to administer this peculiar institution. Even at best, these agents are neutral arbitrators who are expected to represent bracero-users' interests fully as much as the interests of the workers. On the rare occasions that Department of Labor personnel have become overtly sympathetic to the braceros in their territories, they have been discharged, as in the cases of William Renner in Stanislaus County and Jesse Whitney in Wilcox, Arizona.

But even the Departmental goal of neutrality tends often to break down in practice. Overt corruption of American officials seems relatively infrequent. Not unheard of, as attested by the shakeup in California's Farm Placement Service in 1959. But rare by comparison with the gross corruption elsewhere in the system. What is commonplace among U.S. administrators is a subtler form of corruption. Consider the situation. These persons are asked to represent the worker against his employer, and the employer against his workers, simultaneously. On its very face, this is an impossible assignment. The administrator, expected to balance himself on the cutting edge of a razor, must fall off that razor in one direction or the other, or else be cut to death. There are certain strictly human considerations which influence the direction in which he is likely to fall.

Braceros tend to be unlettered, unwashed, inarticulate--from an almost entirely different world, sociologically speaking, than the world of the U.S. government official. Bracero-users, on the other hand, share with the official his native language, his education, his economic level, his cues and understandings, and the myriad other things which make up a universe of discourse and culture. And, what is more, the administrator of the bracero system knows that the workers will be here today and gone tomorrow; the employers will be here today and here tomorrow. When one discusses the matter candidly with U.S. government agents, one hears, over and over again, this thought: "We have to live with the growers, after all." Unstated, but implicit, is the corollary: "We don't have to live with the braceros."

Some administrators may occasionally feel a certain amount of compassion for braceros. But it is one thing to feel vague compassion, and quite another to make tough-minded, day-to-day decisions. It is in the day-to-day conduct of the program, in the field, that administrative regulations break down in favor of mundane verities. The mundane verities are that government agents cannot flee from their society. They cannot become communicants in the society and culture of rural Mexico. They cannot shuck the basic human need for association and identification. It is almost inevitable that these agents form unwritten and often unwitting alliances with bracero-users. And so it is that there has always been a good deal of movement back and forth between the bracero-users' complex and the government complex. The former chief of the California Farm Placement Service is now manager of the Imperial Valley Farmers Association. The Department of Labor field man for Imperial Valley resigned his job to organize a second association of bracero-users in that area. The former manager of the Coachella Valley Growers' Association now manages the bracero recruiting station at Empalme, Mexico. The former supervisor of the Farm Placement Service in Ventura County is now managing a bracero-users' association in that county. And so on. The ties that bind are reminiscent of those in the industrial-military complex.

Although one may say, "What's in a name?" it is perhaps suggestive that the job title of Department of Labor representatives in this program was changed in 1958 from "compliance officers" to "employers' service representatives." This could hardly have served to strengthen braceros' confidence in the impartiality of the justice they are likely to receive in this country.

This lack of confidence no doubt stems in part from braceros' suspicion of government officials in general. It is in many cases reinforced by experiences the men have had in this country: cases, for example, in which men have carried complaints to the Department of Labor and, far from receiving impartial justice, have been promptly repatriated. Such cases spread by word of mouth among other braceros, and perhaps pick up added color as the stories spread.

Whatever the reasons, discussions among braceros quickly reveal that many men with grievances are unwilling to take them to a "compliance officer" for fear of the possible consequences. This was true, for example, of a large crew of braceros picking cotton in Imperial County, interviewed on October 2, 1958. Inspection of check stubs from this crew showed that many of the men were not making enough to pay for their compulsory deductions: board and insurance. No one in the crew was satisfied. But when it was suggested that they were entitled to write to the local Department of Labor agent--we gave his name and address--they declined to do so. We offered to write on their behalf. They asked us not to do so--or, if we did so, not to name them, the date, or the place of the interview. Why? Because they were afraid of reprisals.

There remains one final version of "grievance machinery" within the bracero system--the most preposterous version of all. The Department of Labor, which instituted this machinery in 1957, was pleased to call it "do-it-yourself compliance."

It was very simple: bracero-users would police themselves. They would dispose of their workers' grievances by themselves to the largest possible extent, with government agencies being summoned only in particularly vexing instances.

This is putting the foxes squarely in charge of the geese. It is equivalent to leaving administration of the Sherman Anti-trust Act to the officers of

General Electric and Westinghouse Corporations. Or, to draw an even more precise analogy, it is tantamount to leaving the "labor problems" of the steel industry to steelmakers, of the maritime industry to shipowners, of the coal industry to mine operators, of the automobile industry to automobile manufacturers--in brief, it is like leaving the labor relations of any industry exclusively to the mercies of the employers in that industry. This may have been acceptable doctrine in the days of Adam Smith, but it is surprising to find it accepted in one corner of mid-Twentieth Century America. And it is particularly surprising to find it accepted by the sole department of the Federal establishment which is supposed, under the act of Congress creating it, to represent the interests of working men and women.

That "do-it-yourself compliance" was ever so much as considered is nearly incredible. The way it worked, once established, was not surprising at all.

The manager of a : bracero-users' association told us,

Last year, at one time or another, we had 2,000 men under contract. My door is always open to any of the men who had a problem. We told them that, when they first came in here. During the year, I would say maybe half a dozen of them came in to see me.

Two thousand men: six "problems." No better testimony could be given to the preposterous, dreamlike quality of expecting bracero-runners to police themselves, and of expecting braceros to place any credence in such a fantasy.

And yet, incredibly enough, even this ratio of one complaint per 350 men is better than the record of the U.S. Department of Labor. Unblushingly, Region X of the Department, covering California, Arizona, and Nevada, reports that out of 167,409 braceros employed during 1962, exactly 300 complaints were received. A ratio of one complaint for every 558 workers. And of these 300 complaints, 53% were reported by the Department to contain "no violation" of the law--perhaps because the Department's zeal for substantiating violations is not what it might be, or perhaps because the law itself is silent on the most important matters, such as human respect and dignity.

The long and the short of it is that no one speaks for braceros, and they are afraid to speak for themselves. This is the way it was intended to be, and this is the way it has to continue to be as long as the peculiar institution survives. If braceros were given any effective voice in a grievance procedure, the system would grind to a halt immediately. The true ratio of worker dissatisfaction is approximately the inverse of that reported by the manager just quoted. On the basis of extended inquiry, we judge no more than six out of every two thousand braceros do not have grievances. This would probably be true even if food, housing, transportation, and the other superficial aspects of the program were exemplary. Unhappiness is built into any arrangement which separates men from their families, friends, homes, familiar sights, foods, smells, sounds, and other associations.

If braceros were really free to give vent to their dissatisfactions--the mind boggles at the prospect. We can only repeat that the system could not endure this measure of freedom. The system is beloved of growers only because it is efficient, economical, smooth running. And it is only efficient and smooth running because the workers are captive, not free. They can be, and are, treated as a merchandisable commodity rather than men.

Among the ways the purchasers of this commodity reveal their attitude is through the very terminology they apply to themselves. They call themselves bracero users. The organization which speaks for them nationally, for example, is called the National Users Committee. This is a very revealing word. One uses things, but one does not use people--at least, one does not normally proclaim the fact in an avowedly democratic society. Is it possible to imagine the Pacific Maritime Association calling itself the Pacific Association of Stevedore-Users? Is it possible to imagine the National Association of Manufacturers calling itself the National Association of Worker-Users? Hardly.

But Southwestern growers see nothing out of the ordinary in calling themselves bracero-users. The type of mentality which thinks it acceptable to use men--to make of them means rather than ends--to make of them peones, or pawns--may be fairly described as a slave-holding mentality.

One of the favored ploys of the bracero-users, when confronted by the types of testimony quoted throughout this paper, is to claim, "Violations are the exception, not the rule. A rotten apple doesn't make the whole barrel bad." And then they trot out their fantastic statistics which purport to show that only a handful of braceros have any grievances, and fewer than half of these few complaints are "valid."

We are certain--as certain as one can be of anything in this life--that violations of the letter of the law are extremely widespread. We are certain that almost all braceros have complaints, but that they don't voice them because they are afraid. We are certain that dissatisfactions are inherent in the very marrow of a system which uproots men from their homes and families and friends and religion and every other pillar of their lives, and ships them into an alien land.

We are certain that violations of the law are inevitable when an employing group, in an acquisitive society such as ours, is left to police itself. We are certain that contempt for every part of the law is certain to follow when some portions of the law--such as Articles 8, 13, 21, and 36--are universally flouted, with the full knowledge of everybody concerned. We are certain that violations of the law are the rule, rather than the exception, when bracero-users tell their bookkeepers to falsify payrolls with the justification, "Everybody is doing it." We are certain that violations of the law are the rule, rather than the exception, when bracero-users can say to their braceros, as they do, "The contract is a piece of toilet paper...."

Despite our certainty, we decline to play the game which is favored by bracero-users. We decline to place ourselves in the trap they have prepared for critics of the system. Investigation and settling of grievances is a trap. Nothing pleases braceroholders more than to have critics base their criticisms on violations of the law.

Here is the way the trap works. Braceroholders and their allies in Congress, the government agencies, and elsewhere, say to "unfriendly witnesses," something to this effect: "If you have no personal knowledge of any wrongdoing in this program, go away and stop wasting our time. If you do have any personal knowledge of violations, it is your responsibility as a citizen to report them to the proper authorities."

This is a brilliant piece of footwork. It puts critics on the defensive. It is almost like saying that if there is anything wrong with the system, it is the fault of the opponents of the system.

The critic, flustered and on the defensive, says he will be back with proof positive. He finds a bracero with a legitimate complaint. It can be any bracero--the first one who walks out the gate of the nearest bracero camp. The critic of the system becomes emotionally involved, because of the injustices about which the bracero tells him, and because his own veracity has been impugned. He vows that this time he will build up such an airtight case, everyone will have to pay attention. He begins to follow the trail of the bracero's grievance. He encounters language problems. He finds that the bracero does not know the name of the foreman involved. He finds that the Mexican consul is uncooperative in the extreme. He finds that the employer threatens him with arrest if he comes "snooping around." He finds that potential witnesses are intimidated. He finds that the bracero with the grievance is spirited across the border overnight, and cannot be found again. He finds that evidence is destroyed. He grits his teeth and resolves never to give up until he has proven this one case.

Finally, after spending every spare moment for several months, he manages to collect enough evidence to make what he considers a case so persuasive nobody can ignore it. He lays it before the government agencies which are supposed to be concerned. A bureaucrat whose job depends on the continuation of the bracero system examines the material. The bureaucrat tells the critic that he has failed to prove his case, that he has libelled respectable citizens, that he is irresponsible, and a fanatic, and that henceforth he will be under suspicion.

Don't laugh. It has happened.*

We refuse to play the game which ends with persons who cherish liberty and integrity being harassed and cast out. We refuse to play the game which requires that we divert all our time and energy from the root issues.

We deny all the major premises of the braceroholders and the bureaucrats who owe their jobs to the foreign contract labor system. We deny that the issue is whether or not complaints can be "proved." We deny that the issue is whether violations are the exception or the rule. We deny the relevance of the entire game of numbers. We deny that the root issue is compliance or non-compliance with the Migrant Labor Agreement and Standard Work Contract.

So long as there was one violation, we would be grieved. But let us assume there were no violations. Let us assume 350,000 braceros, 50,000 bracero-users, an indeterminable number of foremen and other fellow travelers, and not a single violation. Would this mean the system had become acceptable?

We can do no better than quote a Catholic priest who knows as much about the bracero system as anyone in the world, and who is an equally serious student of social ethics.

There is a danger in becoming committed to something like transportation or housing or feeding regulations. The really smart growers will go along with you on things like that. They'll make a genuine effort, and they'll bring in photographs and other evidence to show how much better things are now than they were

*See U.S. Department of Labor, Bureau of Employment Security, Regional Office, Region X. "A Report on Strangers in Our Fields," San Francisco, 1957. (Mimeographed.)

five or ten years ago. Where does that leave you? It leaves you without a platform to say the things that need to be said. It leaves you, in effect, as a supporter of the bracero program. These things like housing and transportation are not the real issues. After all, an enlightened dairy farmer nowadays houses his cows in clean and sanitary barns, gives them good food, and everything. He may even pipe in music by Muzak. Now, if we had perfect compliance, that is what the bracero program would be like. The only difference would be that the dairy farmer has a "working force" of single ladies, while the fruit and vegetable grower has a working force of single men. Is that what we want in the way of an American labor force? We mustn't get so wrapped up in the externals that we compromise our ability to talk about the guts of the bracero program. We must never put ourselves in such a position the growers can say, "Okay, we've done the things you've been talking about. Now stop complaining." The real issue is whether we want to continue to have a labor arrangement which breaks up families, and which regards men as commodities. If I had to choose between a cleaned-up bracero program, with every man living in a plush hotel room, and some other type of labor arrangement, in which men lived with their families, as free men, in housing that wasn't nearly so good--I would choose the system of free men.

In other words, perfect adherence to the letter of the law would not improve the spirit of the law. And the spirit of the law is evil. The law attempts to validate a caste system, a system of captive labor, a system of compulsion. No amount of compliance activity can change that or make it any more acceptable to a free society or the dignity of man.

You could amend Public Law 78 all you wish. You could put an honest compliance officer and an honest consul in every bracero camp in the country, instead of one of dubious sincerity for every hundred bracero camps. Or, if you wanted, you could have a one-to-one ratio: a compliance officer for every bracero. 350,000 of them. And all dedicated and honest men.

The system would still be anathema.

The essential quality of the system is beyond the law. Indeed, the human qualities of any system of labor are essentially outside the scope of law. The qualities which really matter are implicit. They may be of two general types. The system may presuppose workers are free, and deserving of respect, and have these presuppositions mixed into its very mortar. Or it may presuppose workers are nothing more than commodities, and deserving of no more freedom and respect than any other commodity shipped in international trade. In this event, the presupposition will be mixed into the very mortar of the system, too, and the letter of the law cannot touch it.

To illustrate the point, consider any other arrangement under which large numbers of people are processed in a hurry. Recruitment of longshore gangs in a hiring hall is not a dehumanizing experience. Passing through customs is not a dehumanizing experience. Even the Selective Service System, at the height of the World War II draft, while it may have depersonalized people did not dehumanize them. It is one thing to be treated anonymously, and quite a different thing to be treated as though you were despised and not really human at all.

Bracero-users and their apologists are unable to hide the attitude that braceros are different in kind from other workers--a "special case"--the

great exception to everything we normally take for granted in human relationships--truly a "peculiar institution."

For example, a lobbyist for the American Farm Bureau Federation clearly betrayed this attitude in recent Congressional testimony, without even realizing he had done so.

Mr. TRIGGS: ...the domestic worker has some very important advantages. He can travel where he pleases. He may seek other employment with other farmers or with any other employer in the United States if he does not like what he has.

Senator WILLIAMS: There is nothing in our legislation that makes him a serf....

Mr. TRIGGS: This is an advantage that the domestic worker has under our present setup which the Mexican worker does not have under contractual agreements.

(Hearings before the Senate Subcommittee on Migratory Labor, relative to S. 1129, Washington, D.C., May 17, 1961. Page 489.)

To establish the quintessential nature of the system, let us give the final word to braceros themselves. Note well that the laws do not cover such complaints as the following. If a bracero ever said such things to a compliance officer or consul, he would only swell the statistics which show most complaints are "unjustified." But, of course, braceros do not say such things to the authorities. In order to hear them, you must establish your credentials: no connection with bracero-users or their camp-followers; no connection with the Mexican government; no connection with the U.S. government.

If you are able to establish these credentials, and gain access to a group of braceros by sneaking past the guard or climbing over the barbed wire fence, be prepared for statements which will make you tremble for the very soul of your society.

We are not animals. We are human beings who have suffered much to come to the United States and work. Here we are treated like animals....I think we should not come to the U.S. where we are treated badly, abused, and looked down upon. Yet we still keep coming back. I think it is the hope that maybe one of these days we...will never have to come again.

* * * * *

I have a twenty-one year old son. I will do anything I can to keep him from having to become a bracero.

* * * * *

We are not treated right. People abuse us. This should not be. Everybody should be brothers....If we are treated right, we will remember, and stretch out our hands to you when you need help. We will be glad to help you. As things are now, there is too much discrimination. There is too much hate, and all because of money.

* * * * *

We come here like animales rentados (rented animals),
not like men.

* * * * *

This will be my last trip to the United States. I would
rather stay in Mexico, earn little, but be a free and happy
man. The United States is getting to be a bad place. They
treat us like animals. All they lack are the lashes.

* * * * *

VII. The People of the State of California vs. Civil Liberty

For years, the National Agricultural Workers Union--and particularly one man, Ernesto Galarza--waged a lonely battle to force the U.S. and Mexican governments to give practical meaning to braceros' so-called "right of representation." Galarza insisted that it was a transparent fraud to say that a bracero has a "right" to be represented by another bracero who is under equal duress and equal threat of deportation.

Article 21 of the Migrant Labor Agreement takes on meaning only to the extent that representatives designated by the workers are immune from the same sorts of pressure that weigh upon the average bracero. This condition could conceivably be met in any of several ways. Permanent representatives might be selected by groups of braceros at the village level, to follow them through the entire contracting process. Representatives of the Community Service Organization might be designated in bracero-using areas where there happened to be a viable chapter of the CSO. But in Galarza's opinion, and in the opinion of other thoughtful students of the system, there is only one type of organization qualified by experience and inclination to represent workers effectively: the labor union. And there is only one type of labor union qualified to represent farm workers specifically, and that is a farm workers' union.

The lonely battle of Galarza and the NAWU finally bore fruit--or what appeared to be fruit. A joint interpretation by the U.S. and Mexican governments was added to the Migrant Labor Agreement. It stated,

The elected representatives may be an individual or individuals from the workers' own numbers, or from any legitimate and bona fide labor organization and the employer must recognize such representatives as spokesmen for the workers....

A worker may personally or through the elected representative present his claim to the employer and the employer is...required to deal with either the worker individually or the elected representatives....

To be sure, the joint interpretation went on to take away with the right hand much of what it had appeared to confer with the left.

This Article is designed to assure that Mexican workers are permitted to elect, by a majority vote, a representative for the sole purpose of presenting to their employers only those complaints arising out of failure of the employer to comply with the Migrant Labor Agreement...or the work contract.

In other words, representation is not to be used for an improvement on the conditions laid down by these documents--documents in the preparation of which braceros have had absolutely no voice. If braceros have been certified for use at 50¢ an hour, as they are in many parts of the country, they cannot use the machinery of Article 21 of the Migrant Labor Agreement to ask the employer for, say, 52 1/2¢ an hour. In fact, there is no means, whatsoever, anywhere in the system, by which they can do so. This, of course, is one reason the system is so well beloved by the 50,000 growers who utilize it.

The Joint Interpretation of Article 21 goes on to say,

If...an individual worker desires to have his complaint presented by a personal representative other than the one

elected by the majority of the workers...the employer is required to recognize such representative only to the extent that such recognition is required by Federal or State Law.

What this means is that, unless the majority of the entire electorate votes for representation by a labor union, those who desire such representation--even if they constitute 49%--shall not receive it. The joint interpretation's innocent-sounding reference to "Federal or State Law" means, in fact, that the employers shall not recognize minority representation at all. As the authors of the interpretation were, of course, entirely aware, there are no Federal laws covering labor-management relations in agriculture, and there are no "Little Wagner Acts" in any of the states in which braceros are used.

In other words, whether or not the joint interpretation is to have any practical meaning comes down to the question: "What is the electorate?" What is the size of the group which must vote before union representation can be obtained? If it is all the braceros who work for a given employer during a given season, the theoretical "right" would become practically impossible to secure. The turnover is usually considerable. And when the bracero-user draws his workers from a central pool, each man may work for a dozen or more employers in the course of a season.

The possibility of effective representation would become even more unlikely if the electorate had to be all the braceros employed by a growers' association. The San Joaquin County Farm Production Association, for example, has 882 user-members. The association operates no central housing facility. The braceros are scattered in hundreds of labor camps, throughout several counties. To conduct elections in all these camps, in the mere hour or two each day which would be available, would require a massive staff, working full time for an entire season. By the time the results were tabulated, all the braceros would have returned to Mexico, and the union would have earned the "right" to represent--no one.

The only meaningful election unit, therefore, would be an individual bracero camp. And, since there is sometimes considerable population movement even at this level, a realistic election "code" should provide that once a union had proven that it represented a majority of the workers in a camp, its right of representation would continue at least for the balance of the year.

Neither Article 21 of the international treaty, nor the joint interpretation which has been made of it, has a word to say about election machinery. The ground rules are set by the U.S. Department of Labor--"labor's own department," which one might assume would know enough about representation elections to set some realistic rules. That is, one might assume this if one knew nothing about the bracero system, and the peculiar role of the Department of Labor in the system.

What are the ground rules which the Department of Labor has set for the only possible vestige of democracy for braceros?

1. Not the individual camp, not the employer, not the association, but the entire state has to be the electorate, a majority of which a union must win before it can ask for recognition under Article 21.

2. "The burden of proof rests with the union to demonstrate that, in fact, a majority of the braceros in the state wish such representation." In other words, there is no election machinery at all. It is the union's problem to get authorization cards from braceros as best it can. Bracero-users are under no obligation to cooperate with the canvass.

Incredible? Perhaps. But nonetheless true.

The bracero system is a hall of mirrors. It is filled with one illusion after another. But perhaps the cruelest illusion of all is that braceros have the "right of representation" by "legitimate and bona fide labor organizations."

The Department of Labor's election "code" permits no room for doubt that this braceros' "right," like all the rest, was never intended to be anything more than the tinsel wrapping around a purulent product.

It is obviously an opium-dream to suppose that a union could prove it represented a majority of the 143,562 braceros who were carted in and out of California during 1962, contracted by 60 different associations, used by 7,995 different growers, housed in 1,700 different camps--when those associations, and growers, and camp operators, are under no obligation whatever to let union representatives contact the braceros.

Despite the heartbreaking nature of this task, some attempts have been made to get union authorization cards from braceros. But when union organizers have attempted to talk with braceros on the job--that is, in the fields and orchards--the organizers have been threatened with arrest. This interpretation of the laws of trespass has been upheld in San Joaquin County Superior Court. It has not been appealed. If braceros were legally held incommunicado while at work, union representatives reasoned that this meant the right of representation could only be secured off-the-job. This, in turn, meant contact with braceros in the camps where they are housed, since we have already remarked that that is where they spend virtually all their off-duty hours.

Any such effort goes beyond an attempt to invest meaning into the braceros' nominal "right of representation." It is also a test of whether the freedoms in the U.S. Constitution and its amendments have any meaning within the bracero system--or whether civil liberties stop at the gate of your neighborhood bracero camp. The attempt to reach braceros in the camps where they are housed tests the freedom of assembly, the freedom of association, the freedom of speech, the freedom to receive information, the freedom of movement.

Which brings us to the detailed consideration of a specific case, which demonstrates whether braceros and those who would like to talk with them are entitled to the basic protections of the Bill of Rights, or whether the bracero system is indeed a peculiar institution in every respect.

In October, 1961, volunteer organizers for the Agricultural Workers Organizing Committee, AFL-CIO, prepared some educational material for distribution to braceros. This was not hortatory material, urging braceros to join the union. The handbills simply informed braceros that, according to the terms of the program, they had a right to union representation if they wanted it. The original, of course, was in Spanish. The following is a translation.

You have cut the asparagus. You have picked the tomatoes. You have worked in different crops. And now you are being shipped back to Mexico....

We who represent the Agricultural Workers Organizing Committee tried to meet you, and talk with you, and know you while you were here. It was difficult. There were many of you. There were few of us. And, always, your patrones tried to keep you imprisoned in camps and told us that we would be arrested if we tried to...talk with you.

But we were able to do some things. We helped some braceros who were about to be shipped back to Mexico unfairly....We served as representatives of all the braceros who told us that they wanted us to represent them. This right to select your own representative is one of the rights--maybe the most important right--that you have when you work in the United States.

Many of your patrones have tried to deny you these rights....We have fought for all the different kinds of rights that all the different kinds of farm workers are supposed to have....Please remember these things when you go back: this is a free country, where there are some people who care about your rights just as much as they care about their own, because everyone's rights are related to the rights of all....

If you come back to this part of California as a bracero, next year, get in touch with us when you first arrive. Let us know if you want us to represent you. Let us know if you have any problems. Let us know if you want your rights....Let us help one another.

Good luck to you when you return to your homes. Remember us. Remember your rights as men. And now it is time to say goodbye--hasta la vista--until we meet again.

The principle of free speech would have been the same, no matter what the leaflets had said. But it seemed to the AWOC volunteers that perhaps their case would be strengthened by the temperate, even autumnal, quality of this handbill.

AWOC representatives tried to get these leaflets into the hands of braceros in every way they could: on public roads leading into town, at stores and theaters, etc. These techniques did not succeed in reaching more than a fraction of the braceros in the Stockton area, for reasons already discussed. Two volunteer organizers for AWOC finally decided there was only one recourse available: to reach the braceros where they lived. This meant, of course, the kraals and compounds maintained by bracero-pushers. Users within this peculiar institution have always assumed they had absolute right to the bodies of their workers, not only on-the-job, but in the camps as well. AWOC representatives assumed the users did not have any such absolute right. The matter had never been legally tested. The time was ripe for a test.

The two AWOC volunteers selected the Loduca and Perry camp for the test of whether braceros are, in effect, free men or slaves, and whether civil liberties stop at the gate of your neighborhood bracero juzgado. It should be pointed out that in this, and all the events which followed, these two young men were acting on their own, and not in the name of the AWOC or AFL-CIO. They chose the Loduca and Perry camp because they had sure knowledge that there were a sizeable number of braceros incarcerated there who had grievances (about food, medical care, etc.), that they had obtained no satisfaction through the channels maintained by their employers or the two governments, and that they wished to be represented by AWOC. The principle of freedom of information would have been the same in any case, but it seemed the case was particularly strong where union representatives were, in effect, attempting to communicate with workers at the workers' own request.

The two volunteers decided to pursue the established principles of non-violent direct action, employed historically in many civil liberties fights:

namely, to act as free men would act, even if forbidden to do so by the authorities. One of the principles of such action is never to take advantage of your opponent. Another is always to be scrupulously honest with him. Accordingly, these two young men telephoned the operators of the Loduca and Perry camp and informed them of their intention to distribute information pieces to the braceros behind the barbed wire fences, on October 30, at 5:30 p.m. (an hour when the braceros would likely be back from the fields, but before it was entirely dark).

The camp management said, "Don't try it." The young men said, "We're going to." And they did. At the appointed hour, they appeared at the front gate of the camp. The managers closed the gates. A number of braceros clustered around to see what was happening. The managers ordered the AWOC volunteers to leave. The volunteers began passing handbills to the braceros behind the fence. An owner and a "bodyguard" then attacked the volunteers, knocking one to the ground, striking and kicking him. One suffered a possible broken nose. The volunteers were dragged, unresisting, into the compound, while Perry telephoned the San Joaquin County sheriff. The volunteers were arrested, taken to the county jail, and charged with trespassing and disturbing the peace.

An eye witness to this event subsequently wrote to the compliance officer for the area, in the hope that some sort of justice might be obtained for the braceros who were, for all practical purposes, imprisoned behind their barbed wire fences.

After the two boys...were "placed" inside of a building by the gate of the Perry & Loduca camp, there were leaflets scattered all over the front of the camp, just outside the gate. The braceros had made a move to walk out of the camp a little before this and the gates were closed right on their faces, much like you would a herd of cattle if it tried to stray from the pasture. Many of them were milling at the closed gate, some clutching at the gate and pressing their faces on the wire, and at the same time yelling at observers words of encouragement, such as "No se dejen, muchachas!" (Don't leave, friends!)

There are two gates at this entrance to the camp--one is large enough for the buses, the other large enough for pedestrians. One of the men came out through this second gate and bent down to pick up a leaflet. Art Williams [Perry's "bodyguard." ED.], a very large man, picked this man up from the back of his jacket and literally threw him back into the camp. At the same time another bracero came to pick up the same leaflet and Art Williams shoved him back into the camp quite brutally, but did not throw him. At this point, around a hundred (100) braceros rushed through the larger gate and began to pick up the leaflets from the ground. Art Williams could not control this large number of men.

Some of the leaflets were bloody. One of the men lifted his and asked me: is this the reason those boys are being beaten? I explained that they, the braceros, had the right to accept or refuse leaflets, and yes, that was the reason. Many of them gathered around me asking more questions about the boys. Many of them had some complaints which were supported by the rest of the men who said, "Es cierto, es cierto." (It is true, it is true.)

I asked them if they got 64 hours of work in a two-week period. One man said, "Oh, yes." But the rest of them had a very strong NO. Different ones told me of the few hours they

worked and that despite this they still had to pay their board and their insurance. I asked them if they were treated well. NO, very emphatically. They felt they had no individuality, that they are treated like a collective piece of property; not one of them was satisfied with the treatment he was receiving.

A few weeks before, some 200...of the men who live in this camp were poisoned by eating a lunch which had been left out too long. They did not receive immediate medical attention until they threatened to riot. Some of these men were in this crowd....One man told me he had to stay in the hospital several days....They all maintained that the food had not improved since. I asked them this directly. Their answer was: "Lo mismo! Nos dan la misma porqueria!" (The same! They give us the same slop for pigs!)

These were very angry men. Very dissatisfied. Their answers were not just a unanimous nod or murmured agreement. They...told of their conditions in their own words, addressing each other and addressing me.

I have given you the facts as I observed them and as they were told to me, by the workers themselves. This certainly does not cover all that was said to me, but it is accurate....I (must) emphasize how little is told in just these few paragraphs.

I can be reached at the above address if you have any questions. My telephone number is TErMinal 5-2609.

Respectfully,

M____R____

The compliance officer showed no more interest in protecting these braceros' "right" of representation than he showed in protecting their "rights" to decent food, medical care, steady employment or treatment as human beings. There was no reply to the above letter.

The two young men were released from the county jail, after several days, when some friends raised bail for them. They went to San Francisco, discussed the case with the Northern California branch of the American Civil Liberties Union, and in due course the ACLU decided to take the case. The trial was held in the Justice Court of the Manteca-Ripon-Escalon Judicial District. "The people of the State of California" might have been surprised to know that the prosecution was conducted in their name, and at their expense. The Deputy District Attorney argued that a bracero camp (and, by implication, the braceros in it) are private property and hence subject to Section 602(n) of the California Penal Code--the so-called criminal trespass statute. (The disorderly conduct charge had been dropped "in the interests of justice.") The American Civil Liberties Union argued that workers were entitled to representation under the Migrant Labor Agreement between U.S. and Mexico, having the force of a treaty, and part of the supreme law of the land; that, notwithstanding, none of the braceros in the Loduca and Perry camp had had any such representation during the six-year history of the camp; that braceros who attempted to act as spokesmen for their fellow braceros found themselves deported; that AWOC attempts to reach the workers at places other than the camp had failed; that a night meeting at a nearby house had been broken up by Perry; that roadside contacts had also been interrupted by the camp management; that attempts at distribution of materials in the city of Stockton were worthless because "the workers were so scattered and it was often difficult "to distinguish a bracero from many of the local residents."

In January, 1962, the judge rendered an opinion in the case of The People of the State of California vs. Poland. The opinion read, in part:

Defendant alleges he has a constitutional right to freedom of speech and that the application of the penal code provision against him is an invalid exercise of an otherwise valid statute. Secondly that because of the nature of the operation conducted at the Perry and Loduca camp, the property, although originally private in nature assumes a public or quasi-public character and therefore no...offense was committed by him....

To change private property into public use by the simple expedient of asserting the constitutionally protected right to speak is to permit disappointed or frustrated orators to deprive property owners of an equally protected constitutional right, namely the right not to be deprived of property....Without a strong and convincing showing that the public interest will best be protected by subordinating the individual's right of property to the individual's right to speak, the court will not sanction the abridgement of one in favor of the other.

...defendant seeks to equate personal convenience, not a right or privilege protected by the Constitution, with a constitutionally protected right. This is in essence an attempt to compel the employer whose views may be in sharp conflict with the non-employee organizer to accept the weapons of economic strife selected by the advocate of collective representation. To permit such action is to accede to open invitations to violence....

Where, as here, the grievances, if any, may be lawfully resolved through the statutory machinery established by two sovereign governments, the preservation of the domestic peace transcends personal predilection as to public interest....

To condone the incitement to violence by economic combatants is to replace persuasive advocacy under the law with economic pugilism.

The motion to dismiss is denied.

This would be an astonishing opinion under any circumstances, but is doubly astonishing coming from a judge who enjoyed a reputation as a "civil liberties" judge, and has since been rewarded by promotion to a higher bench by the Governor of California.

The judgment carried with it a fine of \$100 plus "a county assessment or one day imprisonment for each five dollars." The ACLU appealed the conviction to the court with jurisdiction: the Appellate Department of the San Joaquin County Superior Court. The Superior Court judges involved had an unbroken record of ruling against AWOC in all the farm labor cases which had come before them during a three year period. One of them was himself a grower. None, however, disqualified himself from the case. On October 11, 1962, a unanimous affirmation of the conviction was handed down, without comment, by the three judges of the Appellate Court. The ACLU then petitioned the Appellate Court to permit a hearing of the case before a District Court of Appeal, under a discretionary appeal procedure first promulgated in 1961. The three San Joaquin County Superior Court judges, again unanimously, ruled, on November 1, 1962:

After reconsidering both the constitutional aspects of this problem and the position of union organizers under the Migrant Labor Agreement of 1951, this court concludes that the petition...should be denied.

The ACLU then took the final step available in any such civil liberties case. It prepared a petition to the Supreme Court of the United States, asking it to issue a writ of certiorari to the Appellate Department of the San Joaquin County Superior Court. This may be defined as a "writ from a superior court to call up for review the records of an inferior court." The issuance of such a writ is no guarantee the lower court's decision will be reversed, or upheld, or indeed that any action will be taken at all. But the chances for favorable action are certainly improved if a trial record is studied by jurists far removed from the agricultural county's passions against anything which has overtones of labor organization. (One of the most extraordinary things about the memorandum opinion of the justice court was the judge's insistence on reading "strife," "violence," and "economic pugilism" into a situation which had been conspicuously non-violent except for management's physical attack on the labor volunteers.)

The ACLU petition to the Supreme Court read, in part:

The decision of the court below should be reviewed by this Court because it conflicts with the decisions of this Court by erroneously denying to labor solicitation constitutional guarantees of free speech and assembly. The decision below has the effect of denying the agricultural workers, already America's most disadvantaged class, vital rights of communication and association which are taken for granted by the rest of the population. Furthermore, the decision conflicts with the commitments of United States to assure the opportunity for collective bargaining to Mexican agricultural workers as shown in our agreement with Mexico, the Migrant Labor Agreement of 1951, as amended....

The decision below stands in opposition to the guarantees of free speech and assembly under the First Amendment as incorporated by the Fourteenth Amendment and as applied to the rights to organize and to distribute information....In Thomas v. Collins...this Court (wrote):

Those (constitutional) guarantees include the workers' right to organize freely for collective bargaining. And this comprehends whatever may be appropriate and lawful to accomplish and maintain such organization. It included, in this case, the right to designate...any... union or agency as the employees' representative. It included their right fully and freely to discuss and be informed concerning this choice, privately or in public assembly. Necessarily correlative was the right of the union, its members and officials...to discuss with and inform the employees concerning matters involved in their choice.

This guaranty of free speech and assembly in labor matters may not be denied merely because solicitation must occur on the private property of an employer. In NLRB v. Stowe Spinning Co. ...this Court ruled that private property claims under the due process clause of the Fifth Amendment did not protect an employer in his refusal to allow a union organizer to speak and solicit

membership in a "company town" similar to the one in the instant case....

In Marsh v. Alabama this Court ruled that a privately-owned company town (similar in all essential aspects to the labor camp in this case) which functions as a community encompassing the lives of its inhabitants cannot be withdrawn as a site for speech protected under the Fourteenth Amendment. ...as shown in the frequently cited case in this field, NLRB v. Lake Superior Lumber Co.....the underlying basis for the protection of labor solicitation on private property is the constitutional necessity for free discussion of matters of public importance. The Court has also made clear the importance of pamphlets and leaflets as "historic weapons in the defense of liberty." (Lowell v. City of Griffin....)

The decision of the court below is in conflict with the commitments of United States as set forth in the Migrant Labor Agreement of 1951, as amended, between the Government of Mexico and the United States of America. Article 21 of that Agreement...provides for and assures the opportunity for Mexican agricultural workers to elect representatives, including labor organizations, to act on their behalf vis-a-vis the employer in matters of violations of the Agreement or the work contract. ...the rights guaranteed by the Migrant Labor Agreement have little force at all unless the Mexican agricultural workers who are its beneficiaries have the opportunity to discuss their rights with representatives of organized labor. Because of their inaccessibility in labor camps, which inaccessibility is now enforced by the decision of the court below, the workers whom petitioner sought to reach have been denied their opportunity for such discussion. Indeed they have been denied any realistic opportunity to learn the rights guaranteed them by the Agreement, which rights are not now exercised. (*Italics in original*)

The ACLU petition includes several other telling points, including the observation that collective bargaining is particularly important to braceros in view of the fact 88% of them are employed by growers' associations rather than by individual growers. But perhaps the heart of the petition is found in a section where it is remarked that many of the legal precedents cited arose under the National Labor Relations Act, "which itself is inapplicable to agriculture." The ACLU argues, correctly, that this exclusion, far from mitigating against the petitioner in this case, should warrant the particular attention of the Court. "In an area not within the protection of the National Labor Relations Act it would seem that greater vigilance should be exercised to protect the constitutional guarantees of free speech and association." (Emphasis added. ED.)

It will soon be known whether the petition is granted or denied. Chances are all too great that it will be denied. If so, this will drive almost the last nail into the coffin, and establish that braceros are chattels as surely as the Dred Scott decision established that Negro slaves were chattels. The decision will go unnoticed and unlamented, even in circles which style themselves as "liberal." With the sole exception of the Northern California ACLU, civil libertarians are too preoccupied elsewhere. But let them take warning. More is at stake than the rights of 300,000 braceros, vital as those are by themselves. The rights of 2,000,000 domestic farm workers are fatefully tied to the rights of braceros. If it becomes legally established that braceros are accessible only upon permission of a camp owner, this will be applied to

domestic farm labor camps, too. And what is then to stop its being applied to workers in lumber camps, railroad camps, mining towns, and every other type of proprietary premises? What is the essential difference between this legal precedent and denial of labor organizers' right to talk with workers on the private property of a factory?

This is the way it goes with the erosion of liberty. We may try to contain it, but it doesn't stop with the initial erosion. It goes deeper and deeper, until it finally sweeps us all before it into the maw of despotism. The way to protect civil liberties for all of us who are "safe," is to prevent the initial erosion among those who are less advantaged--or, if it has already occurred, as in this case, fight unendingly to correct the erosion and restore the integrity of the countryside.

VIII. The Trouble with Compromising

Compromises of freedom do not end with the initial compromise. In order to survive at all, limitations upon freedom must surround and buttress their existence with other limitations upon freedom. A single tyrannous social institution demands a "friendly" atmosphere of other tyrannous institutions, and if they are not tyrannous to start with, that segment of the social order which is unfree strains, in one way or another, to make them so.

Diluted freedom is the natural enemy of freedom, and vice versa. There is an unending war between the two, very much as there is an unending war between a healthy organism and attacks by parasites, wild cells, and its other natural enemies. It is a characteristic property of this struggle that unfreedom, like ill-health, is always the aggressor. Despotism seeks always to surround itself with more despotism, to impose its nature on everything. Freedom, by definition, does not seek to impose anything upon anyone. Thus, freedom (like a healthy organism) is perpetually on the defensive. It cannot carry the attack to the enemy, for if it does it loses its soul in the process. This is the reason freedom, as has been often pointed out, needs constantly to be protected by those who love it. It is not in its nature to "take care of itself." And the only way to protect it is to keep it pure. Just as foul air corrupts the sweet, small compromises with freedom tend, ultimately, to pollute and drive out all freedom.

This, in the last analysis, is the reason everyone who cares about real freedom--as distinguished from the Pharisees who cry, "Lord, Lord"--should be informed about and should act upon the bracero system: a limitation of human freedom which was insinuated into the statutes of this nation twelve years ago, and which, predictably, has gnawed deeper and deeper into the healthy tissue of our society ever since.

Southwestern growers got their peculiar labor system under the pretext of a wartime "emergency." And, through the aggrandizing process sketched above, around it has grown up a peculiar institution, which has worked its peculiarities into other institutions as well.

The people in America who care about freedom protested hardly at all in 1951 when they might have prevented the initial incursion. This was the compromise. As ye sow, so shall ye reap. We have been reaping a tragic and tyrannous harvest these twelve years. And our harvest of infamy will grow more infamous until the men who care about freedom decide that they must make an end to this process. It will be infinitely more difficult to halt it now than it would have been to prevent the initial compromise. The tentacles of the bracero system are coiled, by now, about our social limbs and our very hearts. They reach into our academic institutions, our religious institutions, deeply into our political institutions. The system has made common cause with incursions and compromises on other fronts.

These intertwined creatures of unfreedom, squeezing the vitals of our social organism, are evil. Some may think that because they are evil they will surely fade and fail of their own iniquities. On the contrary, they will flourish and destroy more and more that is of value until they are attacked at their roots.

The root question is not whether braceros receive the "prevailing wage," whether their housing is good or bad, whether they are cheated on their food, whether they have to pay bribes, or whether they are victimized by vice-mongers. The root question is whether we really care enough about freedom to fight for it in Southwestern agriculture as well as Berlin. If we can't care this

much about it--if we concede that some compromises of our freedom are admissible--if we say that a foreign contract labor system "properly policed" is tolerable--then there is no point in discussing the vice, bribery, corruption, depressed wages, or anything else. For all these are the inevitable fruits of the initial admission, the initial concession, the initial compromise of something which should be uncompromisable.

We do not have space here to trace all the tentacles of the monster which was created by Public Law 78. We shall not be able to discuss the extent to which these tentacles have choked American farm workers--freezing their wages, lowering their working conditions, forcing them into migrancy, driving them out of their chosen employment altogether.

We shall not be able to discuss the automatic adverse effect of captive farm labor upon family farmers--whose own labor becomes worth no more than the amount paid by their corporate competitors to bracero gangs. We shall not be able to discuss the effect on the economy of the rural Southwest when domestics are driven out, and purchasing power is shifted from the area of employment to rural Mexico.

We shall not discuss the effect upon Mexican-Americans of the continual injection and withdrawal of unassimilated Spanish-speaking who cannot, by fiat, be assimilated. We shall not discuss the effect on Mexico of the fact one-tenth of her population has become dependent on the foreign contract labor system, and 1,000,000 of her families have become permanently sundered in consequence.

We shall not discuss the effect on employers and workers in non-agricultural industries when the largest body of workers in California and the nation cannot afford to buy automobiles, and furniture, and books, and other goods and services.

We shall not discuss the effect on agriculture itself, when its own employees cannot afford to buy the very fruits and vegetables they cultivate and harvest. We shall not discuss the effect on agriculture--bracero-users and non-users alike--when the blandishment of cheap labor causes growers to overproduce tomatoes, peaches, and half a hundred other crops, without regard for the demand of the marketplace.

We shall not attempt to discuss the effect of the bracero system on the psyches and souls of the bracero holders themselves. We shall leave that to their psychotherapists and religious confessors, if such there be.

Neither shall we attempt to detail the grosser follies and stupidities which attend the peculiar institution of braceroism.* Congress appropriates hundreds of millions of dollars for a "depressed areas" program, involving the equivalent of 1,400,000 unemployed American farm workers, at the very same time it extends and re-extends Public Law 78 on the pretext there are not enough American farm workers.

On March 26, 1963, Secretary of Labor Willard Wirtz publicly testified there are millions of unskilled, unemployed workers with "no place to go in our economy," at the very same time his own Department was certifying there

*Extended treatment of these follies, as well as the various forms of "adverse effect" built into the bracero system, may be found in "...So Shall Ye Reap," available from the Emergency Committee to Aid Farm Workers, 512 So. San Vicente Blvd., Los Angeles 48, California.

are hundreds of thousands of jobs in agriculture which must be filled by Mexican Nationals because there are no Americans to fill them. And the Administration is calling for a Kennedy jungen program, to put unemployed urban youths to work digging ditches and planting seedlings in the mountains, while, in the valleys below, braceros will be digging ditches and planting seedlings because the Administration has certified that Americans won't do this type of work.

Perhaps the entire bracero issue should be turned over to a psychiatrist for explanation. It is marked by a madness which seems quite beyond the comprehension of economics, or political science, or any discipline which presupposes the species homo sapiens is sapient.

We shall try, however, to comprehend the workings of the bracero system within a frame of reference which derives more or less from sociology, while attempting more or less to minimize jargon. We shall postulate that a society is not just a thing of shreds and patches--an agglomeration of institutions, folkways, mores, roles, statuses, understandings, expectations, cues, survivals, and revivals which have accumulated haphazardly over the years. We shall postulate that there is a relationship between the many component parts of a culture and society--that there is a strain toward consistency, an organic coherence, "functionalism" in the Malinowskian sense. When a new component is added, through original invention or through diffusion from some other society, it is usually "selected" on the basis of compatibility with established components. The process cannot be compared to a personal selection. It is usually very gradual, and involves shifts in the attitudes and actions of large numbers of people, often without their being conscious of the shift. If the innovation is not functionally compatible with ongoing patterns, one of two things occurs. Either it must accommodate to pre-existing ways of doing things, or the pre-existing ways must accommodate to the innovation.

This is to say, a society cannot indefinitely exist in a schizoid state. It cannot draw hard lines and say to its members, in effect, "On one side of your life, you will think and behave one way; in another part of your life, you will think and behave in an altogether different way." It cannot permanently validate the requirement that people be both hateful and loving; both acquisitive and altruistic; both routinized and creative; both enslaved and free. It can demand these things--but not, in the last analysis, successfully. Schizophrenia is a form of insanity, and the fact it may become society-wide does not make it any more sane.

The dogma of "cultural relativity," which still bestrides the behavioral sciences, and which says, in so many words, "Anything which is, is beyond criticism," must give way to a recognition there are a number of requirements for humanness which are not relative to space and time, but are rooted in the nature of being human. If behavioral science does not recognize this, it will not survive. Nor will our society.

Which brings us back to the premise with which we began this chapter. When we say "a single tyrannous social institution demands an...atmosphere of other tyrannous institutions," we are stating, in a particular way, the general proposition that there is a strain toward consistency in the social organism. The strain works both ways. The newcomer presses for a "friendly" environment. And the institutions already on the scene try to surround the new addition and change its character, as an oyster converts an irritant into a pearl.

One might suppose that in such a contest, the established institutions would have all the better of it. There are, after all, a great many more of them.

Innovation is not usually introduced in multiples. It customarily begins in only a single institution.

Why, then, have the institutions of a free society been unable to convert the irritant of braceroism into a pearl? Why has the irritant, instead, retained its initial destructive character, unchanged, and circulated throughout the organism wreaking damage? Apparently because, as we hypothesized earlier, free institutions do not have defenses built into them. They are open, and hence vulnerable. To be free is to live dangerously. Despotic institutions, as we also remarked, have aggression built into them. In the contest between the two, therefore, despotism always appears to have the advantage. One sometimes wonders how free institutions are able to survive at all. Free institutions have usually roused themselves just before they were utterly done to death by despotic institutions. And when men have become aroused to preserve free institutions, they have usually proved more than a match for men who wanted to extend despotism. The long history of this irrepressible conflict suggests that, in the ultimate analysis, the wish for freedom is even stronger than the wish to escape from freedom.

We speak of conflict in the broadest sense, of course. It is usually resolved at the political level, rather than through physical force and violence which may be called the negation of politics.

We shall discuss the aggressive character of braceroism in terms of its incursions beyond its Southwestern beachhead, into three of the basic institutions of our society. The discussion is illustrative, not exhaustive. The warning should be clear enough: the incursions will continue until the irritant --the incompatible newcomer--is removed. The question, too, should be clear: will free institutions waken and defend themselves before all of them have lost their free character? If so, when?

A. The burning of the books

The black hand of braceroism extends into many institutions other than economic, and whatever it touches it tends to corrupt. Not even our social institutions which should be most independent of such influence are immune. We have already commented on a crucial test case in which the judiciary crumbled. One would like to think that institutions of higher learning were dedicated to the pursuit of truth, wherever it might lead them. But the black hand of braceroism has reached into this corner of society, too.

Consider the case of a Research Associate whom we shall call Garrison, for that is not his name. Mr. Garrison applied for and received a \$40,000 grant from the National Institutes of Health, of the U.S. Department of Health, Education, and Welfare. It was administered through the University of California at Berkeley. The purpose of the project was to survey the health attitudes and experiences of a sample of braceros in California. The study began in 1956. At the time, Mr. Garrison knew nothing more about braceros than that they were drawn from a different culture and therefore, presumably, had different ideas about health and medical care than most persons in the United States.

By 1958, however, Mr. Garrison had formed certain opinions about the bracero system as a system. The survey continued, structured in such a way that Mr. Garrison's opinions were unknown to the project's interviewers, and could not influence the findings which were obtained. But in his capacity as a private citizen, he felt that he had not only the right but the duty to inform other citizens of the facts as he knew them and his interpretations of the facts. In May, 1958, he was asked to prepare a confidential memorandum for a seminar of the American Friends Service Committee. He did so, calling his memorandum, "Foreign Contract Labor and Social Justice: A Statement of Personal Conscience." In this paper, he reviewed a quantity of firsthand evidence, and concluded that the bracero system (and foreign contract labor in general) is inherently incompatible with social justice as he conceived it.

Through a misunderstanding, the AFSC reproduced this statement and distributed it widely, without Mr. Garrison's knowledge or consent. Soon, Mr. Garrison received letters from the Director of the California Department of Employment, the Deputy Regional Director of the U.S. Bureau of Employment Security, and an official of the Immigration and Naturalization Service, demanding that he prove his "charges" or else retract them. Mr. Garrison replied that he would retract nothing, but tried to explain that he had made no "charges"--his criticism was directed against the system in principle. He then received further letters from the government agencies, stating that if he did not give them satisfaction, "further steps" would be taken against him. Mr. Garrison again refused to give them the satisfaction they wanted.

Nothing more was heard for about a month. The interviewing of braceros continued. Then, abruptly, on September 8, 1958, Mr. Garrison was notified that the interviewing was to stop at once. He was told by representatives of the U.S. Department of Labor that if he entered the El Centro bracero reception center again, he would be arrested. Mr. Garrison flew from Southern California to Berkeley to find if there had been some mistake, and, if not, how such a thing could happen in an institution enjoying a reputation for scholarship.

Through painstaking inquiry, Mr. Garrison learned the following details. The Farm Placement Service of the state Department of Employment had informed the California Farm Bureau Federation about the case. The Farm Bureau, although primarily a political pressure group, had its headquarters

on the Berkeley campus, and had a large hand in University affairs. Farm Bureau representatives communicated with their top contact in the University administration, Vice-President Harry Wellman, and said, in so many words, "Garrison must go." Vice-President Wellman was reminded that the University would be asking the state legislature for an appropriation in a few months, and that the Farm Bureau had powerful friends in the legislature, particularly in the Senate--friends who might feel it was quite improper to have on the payroll a Research Associate who made "charges" against the established and respectable bracero program.

Vice-President Wellman notified the Department in which Garrison was employed, and the highest echelons of University administration, about the pressure which had been brought to bear. Garrison had friends among the faculty and administration of his Department. They defended the manner in which he had directed his field work, and questioned the propriety of discharging a University researcher solely on the basis of a threat from the Farm Bureau.

A compromise was struck by Clark Kerr, President of the University. Garrison would not be fired. But he would be forbidden to conduct any further field work. This order was signed by Glenn Seaborg, Chancellor of the Berkeley campus, now chairman of the U.S. Atomic Energy Commission. No appeal was permitted.

Garrison was at this point confronted by a dilemma. Should he resign in protest over this interference with free inquiry, and, even more, over the readiness of University officials to compromise academic freedom? Or could he best serve social justice by taking the data already in hand (even though the interviewing was only about half completed), preparing the best possible report, and hoping that it would achieve a wide readership under the University imprimatur? Garrison chose the second course, and worked for more than a year, analyzing his data, and writing his manuscript.

The text grew to 850 pages in length. Garrison had 100 advance copies mimeographed, and distributed them to economists, sociologists, anthropologists, and other qualified persons for comment and criticism.

University officials called them all back. These officials argued that Garrison had gone beyond the purview of his research grant in several of his chapters. Garrison argued that it was impossible to understand braceros' attitudes toward health and medical care in a vacuum, isolated from considerations such as wages, housing, food, recreation, and the whole social structure of braceroism. Garrison's arguments availed nothing.

The 100 copies of his manuscript were burned in the incinerator of a hall which, ironically enough, is named after a noted civil libertarian, Chief Justice Earl Warren.

Eventually, a greatly truncated and expurgated report was issued, "for administrative purposes only," and distributed to the government agencies involved in the bracero system--including the same agencies which had sought Garrison's dismissal in the first place. Nobody ever paid any attention to the report. By this time, Garrison was out of the University. The whole episode has been forgotten, except perhaps by Garrison himself.

The burning of the books is a peculiarly fitting climax to this unhappy story of the way in which the bracero system can and does corrupt even our most "free" and "independent" social institutions. Book-burning is a symbol of despotism everywhere. Books were burned in Germany in 1933. They were burned in Berkeley in 1960.

We are not yet in as much danger as Germany. There, books were burned in public. In Berkeley, they were burned by a janitor, where no one could see. But there is danger enough--more than danger enough. If it is permissible for the University to burn books about braceroism, then is it not permissible also for the University to burn books about other things? Where is the line to be drawn? If it is permissible for the University to bow to pressure from the Farm Bureau, then is it not permissible for the University to bow to pressure from other lobbies? The American Legion...the California Medical Association...the Taxpayers Association...the California Labor Federation...the Democratic Party...the Republican Party...the John Birch Society...where does the process end? If it is to be ended at all, it has to be ended before it starts.

B. "They just can't be bothered"

In no social institution do the tentacles of braceroism reach more surely and with more deadly effect than in our political institutions. Members of the Agriculture committees, in state legislatures and the National Congress, are almost wholly subservient to the Bracero Power. One would expect it of members of the committees who are themselves bracero-users, such as Charles Teague (Rep., Calif.). One would expect it of members of the committees who are from the South, and who carry the slave-holding mentality from long tradition. The eight Democrats with top seniority in the House Committee on Agriculture are all from the South.

It is somewhat curious, however, that representatives of "family-farming" states, such as Iowa, Wisconsin, Minnesota, North Dakota, and Ohio, should make common cause with the slave-holding mentality, year after year. The bracero system is the worst enemy the family farmer has ever had.

It is somewhat curious, too, to witness the extent to which vital issues, affecting every corner of our society, are decided in Committees with very narrow and parochial interests. Recommendations of the House and Senate Agriculture Committees are almost never overturned by the whole houses. A handful of fighters, like Jimmy Roosevelt in the House and William Proxmire in the Senate, may be relied upon to make speeches. Time for debate is severely limited. And then Public Law 78 sails through once again, and is heard from no more for another two years. Usually, the matter is such a foregone conclusion that a roll call vote is not even taken.

It is most curious of all that the Bracero Power so firmly entwines around the executive branch. A head of state is presumably answerable to all the people. Seventy per cent of the population of the United States is now urban. Of those who are rural, more than three-fourths are non-farm. Of the rural-farm population, not more than 1% profit in any way from the bracero system. The overwhelming majority are disadvantaged by it. There are only about 50,000 bracero-users in a nation of more than 180,000,000 population: a ratio of approximately one to three thousand six hundred.

In the closing stages of the Congressional session of 1961, President Kennedy, a self-styled liberal, had an opportunity to exercise leadership of a type he had criticized Eisenhower, a year before, for not exercising. Congress was considering Public Law 78. The President's Secretary of Labor informed him, in the strongest terms, that the law was having an adverse effect. Congressional liberals told the President that if he let it be known he would veto an extension of Public Law 78 in its present form, the Bracero Power would, for the first time in history, be on the defensive. The reactionary coalition which controls the legislative process guarantees the

bracero-users a majority vote, but they do not have the two-thirds necessary to override a veto.

Kennedy never gave the word. Public Law 78 was re-enacted, with only minor amendments. When it reached his desk, he admitted that the program "is adversely affecting the wages, working conditions, and employment of our own agricultural workers," but he signed the bill "because Mexican workers would be needed in some areas."

It is difficult to comprehend how the interests of 50,000 bracero-users can outweigh the interests of all the rest of the country. There is evidently an awesome power at work, which we have throughout this paper referred to as the Bracero Power.

The same power may be seen at work in California. It is not generally recognized, but California is the second most highly urbanized state in the country. With 86.4% of its population residing in urban places, it is second only to New Jersey. From the obeisance which the state's politicians give to "farmers," one would suppose this was North Dakota (35.2% urban).

There are 7,000 bracero-users in California, in a population of nearly 18,000,000--a slightly higher ratio than in the whole nation, but still only one in 2,600. Governor Edmund G. Brown calls himself a "responsible liberal." Part of the definition of responsible liberalism, apparently, is to support a captive labor system which is wanted by a handful of growers and works against the well-being of everybody else in the state. The most curious part of this political enigma is that one may be sure hardly any of the 7,000 bracero-users in California support Mr. Brown, whatever his efforts to woo them. It is another case of wretched politics as well as wretched morality. But by this time we have learned not to expect logic to follow where the tentacles of the Bracero Power have penetrated.

"Responsible liberalism" is also supposed to be firmly in control of both houses of the California legislature. As these lines are being written, two very interesting joint resolutions are pending in Sacramento. Both were introduced on February 18, 1963. The first is Assembly Joint Resolution No. 21. It reads,

WHEREAS, The labor requirements of California's specialty crop agriculture are of a highly seasonal nature, with the result that at various times the domestic labor supply has been inadequate to meet the production requirements of various crops; and

WHEREAS, California agricultural producers have consistently endeavored to reduce their dependence upon seasonal labor through mechanization and more efficient use of the domestic labor supply; and

WHEREAS, In spite of these efforts, the supply of domestic farm labor will continue to be insufficient to meet the seasonal demands of California agricultural production for the foreseeable future; and

WHEREAS, Since 1951, California's agricultural labor needs in excess of the domestic supply have been met by the importation of Mexican nationals, or "braceros" under the terms of an agreement between the United States and the Republic of Mexico; and

WHEREAS, The Mexican national program has annually prevented the loss of millions of dollars worth of California's agricultural commodities, thereby benefiting not only the producers and consumers of these commodities, but all those dependent, either directly or indirectly, upon the production, processing, transporting, and marketing of these commodities for their livelihood; and

WHEREAS, The Mexican national program has been of substantial benefit to the braceros themselves, in that it has given them the opportunity to raise their standards of living by earning wages and learning skills which enhance their usefulness and opportunities in the Mexican economy; and has in fact become a uniquely successful foreign aid program, in that it has not only directly exposed large numbers of Mexican citizens to American life, but has also provided direct financial assistance to some of the most needy elements of the Mexican population, thereby improving the relations between the people of the Republic of Mexico and the people of the United States, and in particular, the people of California; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is hereby requested to extend the law authorizing the entry of Mexican nationals as farm laborers for such period of time as the conditions herein set forth shall prevail; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

The second of these two measures, Senate Joint Resolution No. 10, reads,

WHEREAS, California is the leading agricultural state in the union in the number and value of its commercial crops; and

WHEREAS, In 1961 California's cash farm receipts exceeded three billion dollars, almost 9 percent of the national total, for the third consecutive year; and

WHEREAS, California ranks first in production nationally of more than 50 crops or livestock products; and

WHEREAS, California leads the nation in the production of such crops as apricots, asparagus, avocados, broccoli, carrots, cauliflower, celery, dates, figs, garlic, grapes, lemons, lettuce, melons, olives, onions, peaches, prunes, spinach, strawberries, and tomatoes; and

WHEREAS, Many of these crops are highly specialized and have a short and critical harvesting period; and

WHEREAS, Large numbers of farm workers are needed to handle, cultivate, and harvest these crops; and

WHEREAS, There are at times insufficient domestic farm workers in certain areas of California to perform these functions, although California leads the nation in monthly farm wage rates; and

WHEREAS, Foreign contract farm workers, such as braceros, admitted to this State under the provisions of Public Law 78 of the 82d Congress, have met California's emergency farm labor needs in working and harvesting these crops by providing an invaluable supplemental farm labor supply, thereby preventing losses to our State's basic industry and associated segments of our economy; and

WHEREAS, Such workers have also filled this need by working on crops such as beets, boysenberries, cabbage, chili peppers, corn, cucumbers, grapefruit, limes, okra, oranges, parsnips, peas, peppers, potatoes, radishes, raspberries, romaine, rutabagas, snap beans, tangerines, and turnips; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to extend Public Law 78 until such time as there is an adequate supply of domestic farm labor available to meet the needs of California's year-round agricultural industry; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretaries of Agriculture and Labor, and to each Senator and Representative from California in the Congress of the United States.

To anyone conversant with the bracero system, much of the language of these two resolutions is really quite amusing. The suggestion that braceros have saved California's okra, parsnip, and rutabaga industries is hilarious. One smiles upon reading of "foreign contract farm workers, such as braceros, admitted...under the provisions of Public Law 78"--as though P.L. 78 dealt with anything but braceros. One finds it a little more difficult, but is able to muster a smile at the effrontery of the assertion that "California agricultural producers have consistently endeavored to reduce their dependence upon seasonal labor through...more efficient use of the domestic labor supply." It is even more difficult, but one may still manage a sickly grin at the absurdity of the claim that the bracero system has "become a uniquely successful foreign aid program, in that it has...directly exposed large numbers of Mexican citizens to American life."

Foolish as these resolutions are, we must try to weep through our laughter. For they have their very serious aspects. For one thing, this is the first time in the twelve year history of Public Law 78 that the bracero holders of California have been bold enough to ask the legislature for an outspoken commendation of their peculiar institution. Even during the 1950's, when the Republicans were firmly in control, the Bracero Power was not so confident as to ask a blessing from the body supposedly speaking for all the people of the state.

It is also interesting to note the sponsorship which bracero-users have obtained for their legislation. It is understandable that primary sponsorship should have come from Assemblyman Pattee and State Senator Lagomarsino. Pattee is a Republican from Salinas--one of the most thoroughly bracero-dominated areas in the state. Lagomarsino is a Republican from Ventura County--an even more thoroughly bracero-saturated area. It is understandable why Lagomarsino was able to obtain co-sponsorship from such unwavering reactionaries as Backstrand, Dolwig, and Murdy. It is understandable that Pattee was able to secure co-sponsorship from colleagues like Robert Monagan from Tracy, where domestic farm workers are living in hovels on "starvation flats" while the tomatoes in the surrounding fields are all picked by braceros.

It is understandable that Assemblyman Veysey (R., Brawley), should lend his support to such a resolution. He himself used braceros until he had the misfortune to be disqualified from further largesse under the system. One of his braceros was killed while operating a piece of Mr. Veysey's machinery--an "unauthorized activity," as the euphemism of the bracero trade has it.

But it is difficult to understand what could have induced a "liberal" Democrat like Carley Porter to have lent his name to this bill. Mr. Porter must surely have known there are no braceros used in his home town of Compton.

Similarly, it is difficult to understand why State Senators, with liberal pretensions, from counties which use no braceros at all, were willing to be included among the 25 co-sponsors of SJR 10--Christensen, from Humboldt County; McCarthy, from Marin County; Begovich, from Amador County; and others. It is disheartening, too, that men from bracero-using districts who should have known better--Farr of Monterey County, and O'Sullivan of Colusa County, for example--were too weak to stand against the Bracero Power.

AJR 21 and SJR 10 were referred to the Rules Committees of the respective houses. At this writing, it appears almost certain that endorsement of the bracero system will clear the Senate. Three of the five members of the Senate Rules Committee, including its chairman, Burns of Fresno County, are co-sponsors of the measure, as are 25 of the 40 members of the full Senate. The going may be more difficult in the Assembly, where only 15 of the 80 members joined in introducing the bill.

But the question arises, who is going to oppose it? Jesse Unruh, boss of the Assembly, is no friend of farm workers. Even though there is not a grower in his district, he tried to amend an agricultural exemption into a state minimum wage bill in 1959.

To successfully oppose the Bracero Power will require that somebody--in fact, a number of people--become passionately concerned. Who in the state legislature is passionately concerned about the immorality of our modern version of slavery? Who in the administration is passionately concerned? Who in the larger society is passionately concerned--about anything?

The chances are all too good that within a few weeks the people of the State of California will be on the public record, through their duly elected representatives, as favoring the extension of a system of captive labor. Not that they really favor it. They can't trouble themselves to learn what it is that their representatives are endorsing. And those few who are aware of the true nature of the bracero system don't care enough to fight it actively. They are otherwise occupied.

The majority of Californians, or of the California legislature, or of the U.S. Congress, or of all Americans are not in favor of captive labor. They just can't be bothered—but that amounts, in the end, to the same thing.

C. Serpent in Eden

By and large, the social institution which has best held to its values in the face of the Bracero Power is probably organized religion. Several arms of the Catholic Church (Catholic Social Welfare Conference, Bishops' Committee for the Spanish-Speaking, Catholic Rural Life Conference, Bishops' Committee for Migrant Workers) have records of opposition to the bracero system and espousal of constructive alternatives. The Jewish Labor Committee has been consistent in the same direction. The National Council of Churches, leading interdenominational Protestant group—and particularly the Migrant Ministry of its Division of Home Missions—has issued a number of principled statements.

But to some extent, the serpent has penetrated even into this corner of Eden. In 1961, the Riverside Enterprise reported,

A joint study committee—composed of representatives of Riverside and San Bernardino counties growers associations and the Council of Churches—Tuesday recommended re-evaluation of public opposition to the...importation of Mexican farm workers....

Approximately 75 persons took part in the study, according to Rev. Loyal Vickers, executive secretary of the Council of Churches.

Chairman of the seven-man committee, which made the final recommendation...is retired Air Force Gen. Joseph Marriott of Riverside.

The recommendation calls for re-evaluation of opposition to Public Law 78...by the National Council of Churches, the social action department of the Catholic Church "and all other religious, social or civic bodies interested in the migrant and bracero problem."...

The committee's report claimed the importation of Mexican workers has not depressed farm wages and added "California farmers would gladly substitute domestic workers for braceros whenever the American farm worker force can be shown to be equally available and dependable."

Claiming suspension of the bracero law would not correct any of the abuses "alleged to exist in certain states," the committee said, in its report, that such a repeal would inflict upon California agriculture a "costly disaster involving labor shortages, higher costs of food, bankruptcy for countless small farmers and a resumption of the unwanted Mexican 'wetback' influx."

This is not the place to refute all these tawdry rationalizations for the bracero system. Such refutation is available in a number of statements by the Emergency Committee to Aid Farm Workers, Agricultural Workers Organizing Committee, and other groups.

Rather, we are here taking the position that all such argumentation misses the essential point. Bracero-users' claims of "disaster", "labor

shortages," "higher costs of food," "bankruptcy," and so forth are nonsense. But even if they were all true, they would not materially alter the essential point—which is that slavery is insupportable, no matter what may be the consequences of its abolition.

Unfortunately, a number of religious groups fail to perceive this core truth. Their opposition to Public Law 78 tends to be in terms of its "adverse effect" on wages. They leave the implication that adverse effect could be prevented by better administration of the system, and that if this were done their objections might be removed.

The course of organized religion has also been deflected to an extent by the counter-offensives of bracero-users, such as the Riverside-San Bernardino "study committee," quoted above. Religious groups grow very nervous over disharmony within their own ranks. Attention is distracted from the issue which has brought about the difference of opinion, and the disharmony itself is seen as the enemy to be overcome. Quakers are the extreme extension of this tendency. They have been immobilized for years—unable to say or do anything about the evils of braceroism—because there are always one or two bracero-users in the group who make unanimity impossible.

Something of the same tendency is characteristic of religious bodies generally. But unlike the Quakers, who remain silent until they achieve consensus, other groups may temporize and equivocate in an effort to please all their communicants. Faced with two irreconcilable positions, they fall victim to the traditional liberal fallacy that "the truth must lie somewhere in between."

It is therefore growing increasingly common for religious bodies which at one time may have opposed extension of Public Law 78, now to speak in terms of "reforms," or "phasing it out" over a period of years.

They have fallen squarely into the trap set by the bracero-users and their allies in Congress. When the "extreme" position opposed to the bracero system merely calls for "reforms," the bracero-users counterpose an extreme position calling for weakening the safeguards which the program, in theory, presently contains. Their political henchmen in the Agricultural committees can then go before the whole Congress and say, "We have done the eminently reasonable thing and compromised between these two positions. We will leave the law just as it is." This is approved, unquestioningly, by urban congressmen who know nothing about farm labor and care less. And it is, of course, exactly what the bracero-users wanted from the outset.

Or, if religious and other "opposition" groups after much soul-searching for something "fair to everybody concerned," call for phasing-out the bracero system, the bracero-users set up an artificial position demanding perpetual extension of Public Law 78. Their Congressional friends, posing as Solomons, stroke their chins and say, "As between these two extreme positions, the most judicious thing we can see is a straight two-year extension with nothing said about phasing out." And it is duly enacted.

The weakened positions from which religious and liberal groups have recently tended to enter the bracero battle—weakened positions chosen by themselves in their desire to appear "reasonable"—are lamentably poor politics. But, what is worse, they are lamentably poor morality. Church groups are not supposed to be politically sophisticated. But they are supposed to be moral. It is a curious kind of morality which seeks a middle-ground between right and wrong, striving to be "fair to both sides."

We await the emergence of a voice from the religious community which will say, "Right is right, evil is evil; justice is justice, injustice is injustice. There is no common denominator between them. We oppose the bracero system because it is unjust, immoral, and evil. We oppose it root and branch. We oppose it with every resource at our command. We shall never cease fighting it until it has been abolished, permanently, forever."

Until such voices are heard from our religious institutions, from our labor institutions, from our political institutions, and from other corners of our society, the bracero system will be engrafted upon us without change, sapping us of the only real strength we have as a society.

IX. Ms. Found on Montgomery Street

One day, recently, while walking along the Madison Avenue of the West, we thought we spied a memorandum floating down from the windows of the latest and largest of the bracero-users' public relations organizations. It seemed to read as follows.

THE CRISIS OF CALIFORNIA AGRICULTURE

By Horatio Alger Growershipper

I am a family farmer. My daddy left me a small farm, of 1,000 acres, in the San Joaquin Valley. By native shrewdness, hard work, and thrift, I built it up over the years to 1,100 acres. About 200 acres are planted in deciduous fruits. On the rest, I grow melons and vegetables. I have my own packing facilities, and last year I packed and shipped out about 650 freight cars of vegetables and fruit. The payroll of my place runs to about \$500,000 a year. The value of the land and equipment is about \$4,000,000. The city I live in isn't more than 250 miles from the farm, and I keep in close touch with my superintendents.

I don't have much, but it's been a way of life to me, the way it has to my fellow family farmers. We dirt farmers of California are now facing a crisis. It's the worst crisis we've ever faced. If something isn't done about it, the way of life we've created over the years may be doomed.

Our crisis is a labor crisis. The only reason we were able to build up our modest holdings was that the government helped us, whenever we wanted labor, to get it quickly, in the quantity we wanted, under wages and conditions we knew were reasonable, and of a type we could get along with. No CIO agitators and that type of thing. For years, we were able to get along nicely with the free flow of labor back and forth across the Mexican border. When the Okies came in, well, that was all right, except some of them had some pretty fancy ideas.

Then the bureaucrats in Washington took it into their heads to cut off our free flow of labor from Mexico. They started calling them "wetbacks." Luckily, there were some friends of us family farmers in Congress, and they set up the bracero program so we could bring in the Mexicans under contract. This was a program we could live with. It was run by people in the Farm Placement Service who were aware of the problems of us small farmers. They knew we were in a cost-price squeeze. They knew we couldn't compete for labor. They knew Americans wouldn't do farm labor no matter what you paid them, so why even bother trying.

By 1958, the bracero deal had stabilized things pretty well. I had my bunkhouses; I had my pushers and checkers and foremen; I belonged to the Association that brought the braceros up from the border. All my melons were taken care of by braceros. All my tomatoes were picked by braceros. Braceros took care of my irrigating, pruning, everything. I had about 20 of them year around, and during the harvest maybe 300 or 350. It was a good thing for everybody concerned. It was even good for the families that used to do my work. They moved to the city and went on welfare. Agriculture is no place for anybody with any gumption.

Then the bureaucrats started tinkering again. They wanted us to pay the braceros 50¢ an hour. They tried to put through some new housing regulations. Next thing I knew, they told me I couldn't have my year-around braceros. They told me I couldn't use braceros to operate mechanical equipment. They put the squeeze on our friends in the Farm Placement Service. Just because we gave them boxes of cherries and peaches and things, they accused them of showing us favoritism. They brought in new people who didn't understand the problems of us bracero-users at all.

They harrassed us every way they could. They even tried to make us go around and recruit the farm workers who had left—as if they'd ever want to come back into agriculture! The bracero program has become something we can hardly recognize from what it was ten years ago. It isn't what we intended.

We've got some other supplemental programs that looked promising for a while. We brought in a couple of thousand Japanese and taught them skills, like picking dates, that will be useful to them when they go back to Japan. And we thought we had it all lined up to bring in Filipinos, but the government of the Philippines started talking about "exploitation" and backed out.

To make things worse, the labor agitators have come in and tried to stir up the workers. We have gotten injunctions against them, and sued them for their troublemaking, and had them arrested when they talked to our workers. But we haven't been able to get the full cooperation of some of the government agencies in keeping agriculture quiet and peaceful, the way it was.

Something has to be done. California agriculture as we know it can't survive much more interference from people outside our industry. I mean, from outside our way-of-life. The crisis of California agriculture requires bold action. We family farmers must develop a fresh supply of dependable labor, free from the meddlings of bureaucrats, bleeding hearts, and radicals.

I have a plan.

Not long ago, I came across a book called World Population and Production, by a couple of people named Woytinsky. This book can be very useful to California farmers if they study it. Very useful. It shows, for example, that unemployment is higher in Indonesia and Thailand than anywhere else in the world. Most of the people in those countries are farm workers. They may be hungry enough by now to be willing to come to California to pick melons and tomatoes.

At the same time, it is very hard to overlook the possibilities of India as a labor supply. The population is over 450,000,000. Two thirds of the people are in agriculture. There are more potential farm workers for California in India than anywhere else in the world, except for mainland China. Because of the famines, China would be a likely source if it weren't for the political problems involved. I'm afraid that California growers can't count on importing many mainland Chinese in the immediate future.

To me, the most interesting part of the Woytinsky book is pages 392-393. This is a table that shows per capita income for

practically every country in the world. For the United States, it is about \$1,700. It is easy to see why Mexicans and Japanese would want to come here to work in agriculture, even if they don't make quite as much as the U.S. average. Per capita income in Japan is \$143 a year, and in Mexico \$106 a year. But, actually, those countries aren't so badly off. There are a number of more likely places California farmers might consider. For example, the annual income in Thailand is \$81 per person, and in India \$75 per person. But if you study the table even more closely, you will find sources of labor that are even more attractive. Growers ought to give serious consideration to Bolivia (\$55 income per person per year), Northern Rhodesia (\$54), Kenya (\$47), Burma (\$40), and Ecuador (\$40). Farm workers from any of these countries should be happy to work in California agriculture under conditions that we growers consider fair and equitable. Bolivia and Ecuador are particularly interesting prospects, since the importation of laborers could be called part of the Alliance for Progress, and we could ask the government to pay the costs involved. On the other hand, where the government pays costs it has a way of eventually starting to talk about regulations and standards. It might be best for growers to keep total control.

In my plan, there is one country of the world that stands above all others as an ideal source of labor for California agriculture. It is even better than Burma and Ecuador when it comes to the vital question of annual per capita income. I am referring to the Congo. Income is \$35 per person per year—less than 10¢ a day. To these people, the prevailing wages in California agriculture will seem like a bonanza.

I can think of other sound arguments, too, for developing this new source of farm labor.

(1) It is well known that there is something peculiar about the backs of Americans which makes them unable to do stoop labor. Fully 84% of the population of the Congo is agricultural—one of the highest percentages in the world. Although such technological advances as the short-handled hoe are not known there, we may assume that the backs of the Congolese are adaptable to such advances.

(2) It is also well known that there is something about the American race which makes Americans unable to endure the heat of the sun. I understand it gets hot in the Congo. The Congo natives will no doubt thrive in the California sun as Mexicans, Japanese, Filipinos, Okies, and other foreigners have done.

(3) Congo Nationals have had long experience with contract labor programs in the copper mines of their own country. Until the recent trouble with left-wing U.N. agitators, the natives worked very well under these arrangements. They would probably welcome the chance to work under similar contracts in this country.

(4) Very few persons in California speak any of the Congolese dialects. This is a very important point. Other types of foreign workers have been led astray by local radicals who were able to speak to them in their own tongue. This would not happen with workers from the Congo. Bilingual crew leaders would be

recruited from among the foremen of the Congo copper mines, under careful security provisions to make sure they have no dangerous leanings.

(5) The population of the Congo is relatively small. But it has about 4,000,000 able-bodied males. A labor pool of this size will be enough to meet the needs of me and my fellow family farmers in California. In fact, we should even be able to share this new program with growers in other areas of the United States. In recent years, the total number of employees in American agriculture has not exceeded 4,000,000. In the foreseeable future, there is no reason why any Americans at all should have to continue working on farms.

* * *

I propose, then, that we small farmers begin a Congo farm labor program, benefitting from the lessons we have learned from the intrusion of bureaucrats into our Mexican farm labor program. The new system should include the following points.

(1) Foreign Aid to the Congo might result in the per capita income rising above \$35 a year, and under those circumstances Congo Nationals might not be so eager to work in California agriculture. The U.S. should therefore withdraw all foreign aid and technical assistance to the Congo, and should blockade that country to prevent assistance from any other source. If mollycoddlers in Congress or the Administration hesitate over the dangers involved, they will be certainly be persuaded by the warning sounded by Associated Farmers of California in 1960:

If this country was ever to go to war, an Army has to travel on its stomach... Need we say more to alert our members to the position held by all farmers in the fight against those who would destroy us from within?

(2) The racial quota provisions of the McCarran-Walter Act may prove a problem, but a special waiver should be forthcoming from the Attorney General without difficulty when it is pointed out that the Congo natives will not be permitted to become citizens, nor to mingle with U.S. citizens.

(3) The U.S. Department of Labor, and the Ministry of Labor and Welfare of the Congo shall be excluded from participation in the program in any capacity, advisory or otherwise.

(4) Certifications for the use of Congo Nationals shall be issued to each grower-user on the basis of his declaration of need. Such certification shall be issued by regional committees of grower-users.

(5) Workers shall be in good physical condition. Those who arrive in a damaged condition will be returned to the point of embarkation at their own expense.

(6) All workers shall be males. Farmers in the Southeastern part of the United States would not have had so much trouble with their workers from the Congo, some years ago, if they had kept an

all-male labor force as we California farmers have learned to do.

(7) No workers who are able to read or write need apply.

(8) Congolese workers shall be employed exclusively in agriculture, defined as any and all operations on or adjacent to or in the vicinity of a farm, and any and all operations involving the production, grading, processing, packaging, distribution, or sale of farm products. Farm products shall include fibers, fruits, fodder, fats, flowers, fertilizer, fish, and other commodities as defined by regional grower-users' committees.

(9) The worker shall be entitled to an oral contract with his employer.

(10) Contracts shall be not less than eighteen months, nor more than seven years. A Congo worker employed seven years will be eligible, if his employer consents, to a furlough not to exceed twenty-four hours.

(11) The worker shall pay for his own transportation, through wage deductions when he commences work in the U.S.

(12) Workers shall be housed in facilities not superior to those normally furnished other farm workers in the area, and at a rental not inferior to that normally paid by other farm workers.

(13) Congo workers shall receive meals equivalent to those to which they are accustomed in the Congo. Workers shall pay for these meals through wage deductions, either on the basis of their actual cost to the entrepreneur, or at a rate of \$1.75 per day, whichever is greater.

(14) Congo workers shall be paid not less than the wage which prevails in the Congo for the same crop-activity.

(15) The worker shall be entitled to representation by agents of the employer. In the event there is not agreement between the worker and the grower's agent, the matter shall be arbitrated by the grower himself. The grower's agent may appeal the decision of the grower to the regional growers' association.

(16) The worker shall be guaranteed three-fourths time employment during each crop activity. The employer shall be held to be in compliance with this provision if he offers the worker employment which averages three-fourths that of the other workers in his employ.

(17) No employer shall use a second employer's Congo workers without permission from the second employer.

(18) Workers shall be entitled to purchase articles in places maintained by the employer or an agent designated by the employer.

(19) Employers' advances to workers for transportation, board, housing, purchases, or other purposes shall bear interest at rates which will not adversely affect the interest rates of other money lenders similarly employed.

(20) If at any time the services of a Congo worker are no longer needed, the employer shall so notify the regional grower-users' committee. The committee shall attempt to place the worker with another employer or employers' association. If it cannot do so, the worker shall be returned to the Congo if he has paid his transportation expenses and other indebtedness. If he has not, he shall work at the pleasure of the grower-users' committee, without pay, until such time as his indebtedness is met.

(21) The worker's wages, exclusive of deductions, shall be retained in a Welfare Fund, to be used for medical care or other compassionate purposes. The Fund shall be administered by a Board of Trustees, consisting of the employer, a representative of the regional grower-users' association, and a representative of the national Farm Bureau Federation.

(22) Congo workers shall not be assigned to work in localities in which they are unlikely to be discriminated against because of their nationality or ancestry.

(23) In the event of a strike or lockout on the farm or in the region in which Congo workers are employed, the regional grower-users' committee shall make special efforts to transfer such workers to fill the jobs which are vacant because the occupants are out on strike or locked out.

(24) Labor, liberal, and church groups will be excluded from the program, and from the Congo workers' camps and places of employment.

(25) A worker who discusses wages or conditions with other workers, or who associates with them for any purpose, shall be held in violation of his contract.

(26) A worker in violation of his contract shall be returned to the Congo if he has met his transportation advances and other debts. If he has not, he shall work without pay under the direction of a Compliance Officer selected by the regional grower-users' association, until his indebtedness is discharged. In either event, to prevent his future participation in the program, the offending worker shall be identified by a mark permanently affixed to his forehead by heat or other means: "S" for sick; "L" for lazy; "A" for agitator; "V" for too vocal; and "E" for those who are too enlightened and intelligent to be able to adjust to the requirements of the program.

* * *

The above plan may be far from ideal as far as employers are concerned. It may appear to contain too many benefits and guarantees for workers, and not enough for employers. Nevertheless, it is hoped that California growers will make the necessary sacrifices in order to continue in their patriotic task of producing foods and fibers essential to the national defense of freedom against Godless tyranny.

One final point should be included in any arrangement that is to be tolerable to me and my fellow family farmers. The bracero program has been allowed to become a political football. Anybody

and everybody has been permitted to take a swipe at it. A necessary part of the Congo program will be that irresponsible criticism will be prohibited. Such troublemakers as the National Council of Churches, American Civil Liberties Union, Catholic Rural Life Conference, and California Democratic Council must no longer be allowed to foment discontent. Our friends in Congress can be relied on to give us this protection. We will ask that it be made a felony to criticize our Congo National program. And what we ask for, we get.

If growershippers band together on behalf of such a program, we shall be able to preserve California agriculture as we have come to know and love it. Nothing less will enable us to place our vital crops--strawberries, asparagus, honeydew melons, mushrooms, olives, avocados--on the nation's tables. Nothing less will save our crops from rotting in the fields. Nothing less will meet the Cold War emergency. Nothing less will defend our way of life in California agriculture--the last citadel of freedom in a sea of socialism....

Then the memorandum was borne from our hands by the breeze. We are not sure now whether it really exists, or whether we imagined it from having observed the operations of other foreign contract labor systems in California over the years. And we walked on, down the Madison Avenue of the West, certain that if such a blueprint does not yet exist, it could, as a simple extension of the bracerholders' mentality.

And one of these days it probably will.

X. Old-fashioned slavery is out of date

It will be argued that calling the bracero system a thinly disguised variant of slavery overstates the case. The bracero holders will say, "After all, we pay them, don't we?" Yes, they pay them, sometimes. "And look at all the laws and rules and regulations about housing and food and medical care and so on!" Yes, there are such laws and regulations. "And braceros can go home if they don't like it here." Well, they can't, really. But let us concede even that claim.

None of this touches the essential nature of the case. Slavery is not, at its heart, an economic relationship between human beings. It is a political relationship--that is to say, a peculiar way of distributing power between men--and a social relationship--that is to say, a peculiar way of distributing status. If all the power, and all the status, reside in one group, and none of the power and none of the status reside in another group, it makes very little difference whether the second group receives room and board and a few wages, or room and board without the wages.

And it certainly does not alter the nature of the case that there are laws which "protect" braceros. There were laws "protecting" indentured servants in our colonial epoch--laws, incidentally, very similar to those under which the bracero system is supposed to function. There were laws "protecting" slaves. But mark this distinguishing characteristic: neither indentured servants, nor slaves, nor braceros had any part whatsoever in shaping those laws. Nor in administering them.

The bracero has no more influence over his existence as a bracero than the Negro slave had over his existence as a slave. It is this hallmark of braceroism which leads bracero holders to say, "We no longer own slaves; we rent them." It is this hallmark of the system which leads the popular press of Mexico to refer to braceros as "esclavos modernos"--"modern slaves." It is this feature of the system which galls braceros themselves, and causes them to complain bitterly of "being treated like animals." It is this feature which is intolerable to anyone with insight into the way the system works, and with insight into the way a democratic society should and must work.

Wages, housing, food, transportation--all these are external trappings. They may be the first things which attract the eye. Most observers never get any farther. If they see braceros being fed sanitary food in a sanitary mess hall, they think the program must be sound. If they see braceros being fed swill in a camp unfit for human habitation, they decry such abuses. Both attitudes are ultimately irrelevant. The ultimate questions are: do braceros have anything to say about their conditions? do braceros make any of the important decisions affecting their lives? are these decisions made by anyone answerable to braceros in any way? The answer to all these questions is no, and this is the final and unanswerable indictment of the system.

There are other resemblances between braceroism and historical forms of servile labor. For example, there is the "biological visibility" of the servile class, which assures that no one will confuse slaves and slaveholders. Of course, this often works to the disadvantage of persons of Mexican ancestry who are not braceros, but that is one of the fruits of the system. Emancipated slaves had similar troubles a hundred years ago. But we do not have space or time fully to develop the similarities between the bracero system and other captive labor systems in our history.

Let us return to the question: is it fair to analogize between the bracero system and full-fledged slavery? We will confess that it is not. It

is unfair to slavery. The bracero system is, in several significant respects, worse. Through the application of the type of know-how which has earned America the respect and envy of all the world, we have added some new, improved, particularly dehumanizing refinements to slavery of the old-fashioned variety.

For one thing, the braceroholder is far less responsible for his captive workers than was the slaveholder of old. The slaveholder was responsible for feeding and housing and caring for his workers the year around--during seasons of productivity and unproductivity alike. The braceroholder has responsibilities to his workers only so long as he cares to, and no longer. The moment they are not useful to him, ship them away: out of sight, out of mind. Then, when they can be immediately profitable again, recall them. Keep them on a string, like a yo-yo, up and down, back and forth. If they starve when they are out of sight, there are others. The slaveholder of the old school had a permanent "investment" in his workers which in most cases induced him to exercise a degree of responsibility for them. The braceroholder, by the very nature of the system, has no such investment, and he is thus allowed--in fact, forced into--a degree of irresponsibility found in no other captive labor arrangement, and one which must be even more demoralizing to captive and master alike than the psychological accompaniments of garden-variety slavery.

Another distinction between olden systems and our modern improved model should be noted well. The African slave trade included both men and women. This provision was not, of course, motivated by humanitarian impulses. Slaveholders were probably not concerned very much about the family institution, but were concerned about their labor force replenishing and multiplying itself. Whatever the motives, nonetheless, the effect was to permit some sort of relationships between male and female. However unnatural may have been the forms dictated by the slave system, they were not so unnatural as separating male and female altogether. This is another respect in which the bracero system is even unholier than "ordinary" slavery. It is absolutely impossible for a bracero to be accompanied by his wife or family while he is in the United States. The only people in our society whom we treat in a comparable manner are prisoners. It is an interesting parallel. Braceros and prisoners: prisoners and braceros.

What can possibly be the justification for this peculiarly refined inhumanity? In the case of the prisoners, it is supposed to be part of their punishment. In the case of braceros, it is in the interests of efficiency. Mexico, incidentally, permits family relationships for agricultural workers and prisoners, both. But, then, Mexico is an underdeveloped country, and not so advanced as the United States in such civilized regards as punishment and efficiency.

XI. A moral test: does anybody know? does anybody care?

Every time this country has permitted any group of employers to experiment with a captive labor system, the results have been disastrous. We may take a rueful sort of comfort in this fact. It bespeaks the extent to which our society as a whole is still free: it has never been able to engorge successfully a slave system in any guise.

But we seem not to have learned this valuable lesson from our own history. We continue to try to make exceptions, to close our eyes to "emergency" cases which contravene all our ideals. In the case of the bracero experiment, the results, as usual, have been disastrous. Millions of family farmers have been forced off the land; millions of American farm workers are reduced to destitution; thousands of small businessmen have been forced to close their shops. Our latest flirtation with captive labor has had devastating effects on other groups as well. But all of them are out of sight. Most of the media which inform the people of the country, and tell them what they should think, are located in New York City. The rest are located in other urban centers. There are no braceros in New York City. The nearest braceros are fifteen hundred miles away. There are braceros within ten miles of Hollywood. But it is a different world. The opinion-makers of Sunset and Vine don't know what is going on in the orange groves of the San Fernando Valley.

So the human damage continues. The day of reckoning may be delayed, but delay only makes it more inexorable. Our society has survived because, eventually, it has always wakened to the unpleasant truths and taken the action it had to in order to preserve itself. Societies which have not had this capacity have not survived at all.

One does not doubt America's capacity, but one wonders how much longer America can remain ignorant of the fact she is nursing an asp at her bosom. One wonders how much more human damage will be tolerated before the awakening comes. One wonders how much longer we will appear as hypocrites before the world by denouncing captive labor systems among unfriendly foreign powers, while perpetuating them at home.

The Communist half of the world makes political capital of the fact that racial prejudice and discrimination are widespread in the United States. But, at least, the executive branch of the federal government is slowly doing something about that national disgrace. Preservation of a racial caste system is not the official policy of the U.S. government. Preservation of the bracero system is, for the moment, the policy of this nation's government. The administration calls for "reforms." Congress does not grant them. But it really doesn't matter. Both the legislature and the executive are talking the same language. Both are equally unable, or unwilling, to face the true nature of the system. "Reform" amendments to Public Law 78 will always leave totally unchanged the fact that it is a captive labor arrangement. Nobody is talking about that.

One waits and wonders how long the United States will be permitted to indulge in an inconsistency so grave: preening over its leadership of the "free world," while not only tolerating but actively administering one of the only two labor programs of its kind in the world. The other, interestingly enough, is also found in the "free world": it is the system by which the mine-owners of South Africa obtain contract labor from Bantu kraals.

One marvels over our ability to become so exercised about offenses against freedom in places like Cuba, and our utter inability to become exercised at all over the offense against freedom which is the bracero system.

It would be unfair to confine this indictment to the national Administration, to self-styled "responsible liberals" like Edmund G. Brown, or to the bracero-users and their fellow-travelers who talk loudest about "freedom" and know least about what it means. We have to include the "irresponsible" liberals and radicals--the whole handful of them--who have a vision of freedom which is correct as far as it goes, but which is only a partial vision. They conduct freedom rides for Negroes in Alabama and Mississippi and Louisiana, but they have conducted no freedom rides for braceros in New Mexico, Arizona, or California. Braceros in the Southwest are less free than Negroes in the Southeast. Where is the Student Non-Violent Coordinating Committee for braceros? Where is the Southern Leadership Conference for braceros? Where are the sit-ins for braceros? Don't look. There are none.

There seems to be an organization or a movement, at least a small one, for every other conceivable cause in this country. But there is not a single movement which has as its central purpose "Freedom, now" for this country's captive farm laborers. There are, to be sure, a few groups which are concerned about farm labor in general: the National Sharecroppers Fund, the Emergency Committee to Aid Farm Workers, one or two others. There are a few voluntary organizations which see farm labor as a liberal "cause," among many other causes. But, invariably, all such citizens' committees and liberal organizations see the bracero problem as a problem of adverse effect on wages. None sees it as a problem of slavery--which has a number of secondary consequences, of which adverse effect on wages is one. Nobody proposes an attack at the roots, where the bracero system lives.

The few organizations in the country which have as their primary object the study and development of democracy have similarly overlooked the clear and present dangers to democracy of the bracero system. The Center for the Study of Democratic Institutions, in Santa Barbara, claims that it is filling a unique role in commenting upon the functioning of our society. Whether it is or is not unique, it has never commented upon the malfunctioning of democracy which the bracero institution represents. The Center has commented on a great many other things, including many which are far away from Santa Barbara. But it has never said a word about braceroism, which could be seen at work outside its own windows. Santa Barbara is a prime citrus area--and all the work is done by braceros.

The only organization which seems to have caught an adumbration of the fact the bracero issue is fundamentally an issue of freedom is the Northern California branch of the American Civil Liberties Union. For this, the ACLU deserves respect. But the ACLU has a great many other concerns beside denials of elementary freedoms to a captive labor force. When the current appeal to the Supreme Court is disposed of one way or the other, it is doubtful the ACLU will continue any other test cases in this area.

We repeat: there is not a single organization in the country which is dedicated primarily to abolition of our contemporary, government-supported program of imported peonage.

It is a disheartening void. It suggests that the moral sickness of the bracero system is possible only because of a wider moral sickness in our society: a lack of any spontaneous, fresh, passion for justice, searching out injustice even when it may not be immediately apparent.

The issues about which the current generation of "radicals" is excited are old issues, really. The civil rights movement, for example, is nothing new. It is the direct descendant of the abolition movement of 125 years ago. It has required no use of the imagination, no new level of concern, to identify

the problems involved. The bracero system, however, is relatively new. As such, it affords a test, in a real sense, of the level of concern of the minority of Americans who take pride in their dedication to civil rights and civil liberties. Do they care enough to recognize a new problem when they see one? Do any of them care enough to give at least a part of their time and talent to its solution?

To date, the answer has to be "no." The number of Americans who recognize the bracero system as a national badge of infamy, who have gone to the considerable work of informing themselves about it in detail, and who have then devoted themselves to its extirpation, can be numbered on the fingers of one hand.

So long as this is the case, the system will remain, as a badge of infamy, a stain upon our common brow.

When the people become morally aroused about this stain and this infamy, they can do something about it.

They always have.

XII. The new abolitionism

As this is being written, evidence has just been made public of a scandal involving the doctoring of braceros' pay records in the Imperial Valley. This is only the latest in an endless series of such cases. For years, people have been trying to call attention of the authorities to corruption within the bracero system. For example, a bracero crew leader in San Joaquin County, named Frank Lopez, tried for a long while to gain the interest of Mexican and U.S. officials in his story. He had been instructed by his supervisor to falsify the work records of his crew. When he resigned in disgust over this and other aspects of the program, he took with him the falsified records, and carried them from agency to agency. Nothing happened except that Mr. Lopez grew more and more disillusioned and embittered, and gained for himself the reputation of unreliability which honest men usually enjoy.

Perhaps the Department of Labor will actually do something to the companies which have lately been proven to have been lying and cheating in the Imperial Valley. Perhaps they will have their braceros withdrawn for a few months. This has happened occasionally in the past. It seems to be the only sanction ever invoked under this peculiar institution, even when criminal violations have taken place.

But all that is beside the essential point. We think it would be most unfortunate for libertarians to become bogged down in the search for such scandals, and the prosecution of violations. Freedom is not served, no matter what sanctions may or may not be levied against the R.T. Englund Company. The essential point, from which libertarians should never be seduced, is this: corruption is inevitable whenever one group has the power of life and death over another group, as bracero-users have over braceros. Lord Acton's aphorism holds good at least so long as man's present state of moral imperfection is what it is. And although we do not rule out the possibility of moral and ethical evolution, it is hardly to be expected the species will change in this regard any more rapidly than it has changed biologically.

This is one of the root arguments, perhaps the final argument, for democracy in human relationships, and the unacceptability in the long run of every other conceivable arrangement. For one human being to hold power over the life of another human being corrupts. It corrupts both participants. This is the ultimate downfall of all such systems, whether we are talking about philosopher-kings, commissars, capitalists, ward-heelers, labor skates, or bracero-pushers. None of these, nor you nor I, is so close to perfection we can be entrusted with the life of another human being. Nor is any of us going to reach such perfection within the next millenium.

The alternative to corruption--and we are speaking now of corruption of the spirit, and of the quality of human relationships--is for men to have final power over their own lives. Directly, when possible; otherwise indirectly, through chosen representatives who are answerable to them. Not that this system is without its problems and pitfalls. It is difficult for man to learn to be responsible for himself. It is particularly difficult when he has become corrupted by an upbringing in which he has learned to be enslaved.

But, in general, the health of the system is directly proportional to the purity of the democracy--and the effort expended by people to reach such purity.

What is required, then, is not a crackdown on the corruption of individual participants within the bracero system. What is required is the removal of conditions which are corrupting in their very essence, which have

corruption built into them, which can lead only to individual and corporate corruption here today, there tomorrow. What is required is nothing more nor less than the abolition of arbitrary power exercised by one group within our society over another group. What is required is to substitute for such despotism an arrangement wherein the second group always enjoys some effective countervailing power, has some influence upon the decision-making of the first group, and in any event does not have to accept its orders. What is required, in one word, is freedom.

Exposés, and "more effective administration," are not an acceptable halfway house between despotism and democracy. There is no acceptable halfway house between the two. Libertarians are well advised to give up the search for one, and come to grips with the only real solution, which is the radical solution: distribution of power to the people affected by it.

There is probably no place in our free society in which there is less freedom and more despotism than in the peculiar institution of the bracero system. We say this advisedly, taking into consideration the peculiar institutions of the Old South. Those who love freedom in this country, in the real rather than the oratorical sense, would therefore be well advised to turn at least a portion of their resources to that corner of our society where freedom is most attenuated and tyranny least challenged.

America needs a new abolitionism. Freedom for the South, yes. But freedom, too, for those hundred of thousands of human beings in the Southwest who enjoy as little or less freedom than the Negro in rural Mississippi, and with this crucial difference: within the peculiar institution of braceroism, the dignity of the Federal government is thrown upon the side of despotism, not freedom. Whatever dignity, that is, which can survive such debasement.

Get our government out of the business of despotism. And get despotism out of our society.

This is a call for a new emancipation.

This is a call for a new abolitionism.

The arguments employed by slaveholders a little more than a century ago bear some startling resemblances to those used by braceroholders today. For example, listen to this cry from the secessionist legislature of Mississippi, in 1861:

Our position is thoroughly identified with the institution of slavery--the greatest material interest of the world. Its labor supplies the product which constitutes by far the largest and most important portions of the commerce of the earth. These products are peculiar to the climate verging on the tropical regions, and, by an imperious law of nature, no one but the black race can bear exposure to the tropical sun.

How reminiscent of the claims, by braceroholders, that by some "imperious law of nature," there is something peculiar about the anatomy and physiology of braceros which enables them to work in Southwestern agriculture, while other peoples are unfitted.

Listen to these cries that interference with the "peculiar institution" would reduce the South to a wasteland:

Abolish slavery, and you convert the fair and blooming fields of the South into barren heaths; their high-souled and chivalrous proprietors into abject dependents--and the now happy and contented slaves into squalid and degraded objects of misery and wretchedness...the noblest fabric of constitutional government on earth may, ere long, be laid in ruins by the elements of discord...and the fell spirit of fanaticism acting upon the minds of our brethren of the non-slaveholding States, and...beneath its ruins will be forever buried the hopes of an admiring world....

(Mississippi Legislature, March, 1850)

...the people of the South...consider not only the retention, but the increase of the slave population, to be all-important to the welfare and interest of their States....They believe it to be essential to the improvement, welfare, and prosperity of their section of the country....

(Georgia Legislature, December, 1827)

...a blow at slavery is a blow at commerce and civilization. The hostility to this institution...has grown until it denies the right of property in slaves....It has given indubitable evidence of its design to ruin our agriculture....

(Mississippi Legislature, January, 1861)

How strikingly reminiscent of the claims, by braceroholders, that Southwestern agriculture cannot possible survive without the bracero system, and that criticism of the system is tantamount to an attack on agriculture itself.

This attitude easily blends into others. Listen to these cries that the "peculiar institution" was not only economically necessary, but a positive good for everybody involved:

In moral and social condition (slaves) had been elevated from brutal savages into docile, intelligent, and civilized agricultural laborers....Under the supervision of a superior race their labor had been so directed as not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands covered with a prosperous people; towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South....

(Jefferson Davis, to the Confederate Congress, April, 1861)

Our new Government is founded...upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and moral condition. This, our new Government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth....The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is the best, not only for the superior but for the inferior race, that it should be so. It is, indeed, in conformity with the Creator. It is not for us to inquire into the wisdom of His

ordinances or to question them.

(Alexander Stephens, March 21, 1861)

[Slavery] may be our physical weakness--it is our moral strength.

(Governor Troup to the Georgia Legislature, 1825)

Slavery...is not a moral or political evil, but an element of prosperity and happiness both to the master and slave.

(Mississippi Legislature, March 6, 1850)

How reminiscent of bracero holders' claims that their system is a positive good for all participants. We have even heard them claim that it is good for domestic agricultural workers because it drives them out of agriculture--and agriculture is no place for an American!

There is at this moment a resolution pending before the California Assembly which avers,

The Mexican national program has been of substantial benefit to the braceros themselves, in that it has given them the opportunity to raise their standards of living by earning wages and learning skills which enhance their usefulness and opportunities in the Mexican economy; and has in fact become a uniquely successful foreign aid program, in that it has directly exposed large numbers of Mexican citizens to American life... thereby improving the relation between the people of the Republic of Mexico and the people of the United States, and in particular, the people of California.

If this resolution passes, as it probably will, let not the people of California give themselves any airs that they have progressed beyond the sentiments of Jefferson Davis and Alexander Stephens.

Slaveholders went so far as to invoke the name of liberty in defense of their system:

The ruin of the South, by the emancipation of her slaves, is not like the ruin of any other people. It is not a mere loss of liberty....But it is the loss of liberty, property, home, country--everything that makes life worth having....We must preserve our liberties and institutions.

(Charleston Mercury, October 11, 1860)

Professing, as we have, friendship for civil liberty, and a devotion to the holy cause of freedom in every clime, it was to have been hoped that no voice would be heard among us, to rebuke an application from Texas for admission into this boasted asylum from oppression.

(Resolution of the Alabama Legislature, Christmas Day, 1837)

How reminiscent of braceroholders' appeals that they are the true apostles of freedom among us. Upon examination, of course, freedom to them means only an absence of government "interference" and "regulation." The slaveholders, of course, rested much of their argument on the same grounds.

...the non-slaveholding states have not the slightest right, either constitutionally or otherwise, to interfere with this institution [slavery]....

(Resolution of the South Carolina Legislature, December 16, 1835)

[We] cannot avoid reprobating the cold-blooded selfishness, or unthinking zeal, which actuates many of our fellow citizens in other states, to an interference with our local concerns and domestic relations, totally unwarranted either by humanity or constitutional right.

(Resolution of the Georgia Legislature, December 28, 1827)

[We] protest against any claims of right, of the United States, to interfere, in any manner whatsoever, with the domestic regulations and preservatory measures in respect to that part of her property which forms the colored population of [South Carolina], and which property [we] will not permit to be meddled with, or tampered with, or in any manner ordered, regulated, or controlled by any other power, foreign or domestic, than this legislature.

(Resolution of the Senate of South Carolina, Adopted 36-6, December, 1824)

Lest the citizens of the State of California feel sanctimonious on this score, let them be reminded that it is just six years since their own legislature passed, with even less dissent than the South Carolina Senate of 1824, concurrent resolutions condemning the Secretary of Labor for issuing bracero housing standards. They were Senate Resolution 42 (Murdy, Rep., Orange County), and Assembly Resolution 61 (Geddes, Rep., Claremont), "Relative to Inspection of Agricultural Labor Camps," January, 1957.

Braceroholders do not express themselves in such orotund language as the slaveholders of the last century, but their savage resistance to every ameliorative suggestion by the Department of Labor is different only in degree from the exhortations of the Governor of South Carolina in 1824:

There should be a spirit of concert and of action among the slaveholding states, and a determined resistance to any violation of their local institutions....[We should] resist, at the threshold, every invasion of our domestic tranquillity, and...preserve our sovereignty and independence as a state....There would be more glory in forming a rampart with our bodies on the confines of our territory, than to be the...slaves of a great consolidated government.

Parallel piles upon parallel. In 1861, Jefferson Davis, in his first "state of the confederacy" message, told the Confederate Congress,

...the production in the South of cotton, rice, sugar, and tobacco, for the full development and continuance of which the labor of African slaves was and is indispensable [has] become absolutely necessary to the wants of civilized man.

Public Law 78, too, refers to "necessary" crops. Braceros are not used in the production of tobacco, which Davis considered essential to "civilized man," but nearly two-thirds of all braceros are used for the production of crops which are in surplus supply, and which the government is spending billions of dollars a year to buy and store. Many other braceros are used in such "necessary" crops as radishes, raspberries, artichokes, limes, dates, and cut flowers.

Another characteristic attitude of the slaveholding mind was injured self-righteousness--of being "misunderstood" by outlanders who cannot possibly know how things "really are."

[Slavery] is cherished by our constituents as the very palladium of their prosperity and happiness....The South does not possess within her limits a blessing with which the affections of her people are so closely entwined and so completely enfibred, and whose value is more highly appreciated....

The northern states have no interests of their own which require any special safeguards for their defense....The South has very peculiar interests to preserve....

(Mississippi Legislature, 1837. Italics in original.)

How truly reminiscent of the whining of bracerholders that non-bracerholders have no right to comment upon the system, since they "just do not understand the situation."

The slaveholding mentality is a totalitarian mentality, and as such is not only arrogant but expansionist. It craves the imposition of its institutions upon men who are already free. Thus, the U.S. South fought bitterly to ensure that new territories annexed to the union were slave states.

...we hasten to suggest the importance of the annexation of Texas to this republic upon grounds...of an import infinitely grave and interesting to the people who inhabit the Southern portion of this confederacy, where it is known that a species of domestic slavery is tolerated and protected by law, which system of slavery is held by all, who are familiarly acquainted with its practical effects, to be of highly beneficial influence to the country within whose limits it is permitted to exist.

(Legislature of Mississippi, Session of 1837)

By a similar token, the slaveholding mentality is outraged by the liberation of men who were formerly slaves, anywhere. In a most intriguing historical episode which is largely forgotten today, U.S. slaveholders protested violently when slavery was abolished in Cuba in 1854, and demanded that the United States Government reimpose slavery upon that island.

...we view with regret and alarm the policy recently inaugurated by the government of Spain in the island of Cuba,

the manifest object and effect of which must be the abolition of slavery in that colony, and the sacrifice of the white race, with its arts, commerce and civilization, to a barbarous and inferior race.

Resolved, That the consummation of this policy will exercise a most pernicious influence upon the institutions and interests, social, commercial, and political, of the United States.

Resolved, That, in our judgment, the time has arrived when the Federal Government should adopt the most decisive and energetic measures to thwart and defeat a policy conceived in hatred to this Republic, and calculated to retard her progress and prosperity.

(Louisiana Legislature, March 16, 1854)

There are parallels between the slaveholding and braceroholding mentalities, ranging from their injured self-esteem to downright paranoia. We cannot trace them all. But it should be evident by now that this cast of mind, like the institution which gave it rise, or to which it gave rise, is indeed "peculiar" in a society which in other respects is generally open, democratic, and free.

These attitudes of mind cannot be reconciled with the mind which truly loves liberty. These institutions cannot be compromised with democratic institutions. A century ago, both sides perceived the issue more clearly than most of us see it yet in the mid-20th Century.

George Fitzhugh of Virginia, "one of the most ardent defenders of slavery," wrote, in 1854:

One set of ideas will govern and control after awhile the civilized world. Slavery will everywhere be abolished, or everywhere be reinstituted....

Many Northerners were equally aware that either slavery or free labor would ultimately have to drive out the other. Senator William H. Seward, later to become Lincoln's principal Cabinet officer, said, in 1858:

Our country is a theater which exhibits in full operation two radically different political systems: the one resting on the basis of servile labor, the other on the basis of voluntary labor of free men...these antagonistic systems are continually coming into closer contact, and collision results. Shall I tell you what this collision means? They who think it is...the work of interested or fanatical agitators...mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will sooner or later become either entirely a slave-holding nation or entirely a free-labor nation.

In the same year, 1858, Abraham Lincoln showed the same insight, in a speech at Springfield, which has since become famous.

"A house divided against itself cannot stand."

I believe this government cannot endure, permanently half slave and half free.

I do not expect the Union to be dissolved--I do not expect the house to fall--but I do expect it will cease to be divided. It will become all one thing, or all the other.

It is strange how we have changed as a people. We are still capable of saying that tyranny is "not negotiable"--in other places. But we no longer say it about our internal despotisms. Indeed, it has become fashionable for bright, young historians to revise the facts of the U.S. Civil War, and to deny that people really cared as much about the moral issues as they did. From some recent histories, one would hardly suspect that the "irrepressible conflict" between the peculiar institution of slavery and the institutions of free labor and democracy had anything to do with the Civil War.

It is fashionable to carry over this same absence of conviction into our present problems, and to be "practical," and to make "adjustments," and trade away this or that value for something else. It is perfectly commonplace for an urban congressman, who has little use for the bracero system, to vote for it in exchange for a porkbarrel vote from his rural colleagues.

It may be useful to remind Americans that there was a time when we--some of us, anyway--were able to face a lacerating domestic issue squarely. William Herndon, Lincoln's law partner, wrote in 1860:

Liberty and slavery--Civilization and barbarism are absolute antagonisms. One or the other must perish on this Continent....Compromise--Compromise! Why I am sick at the very idea. Fools may compromise and reason that all is peace; but those who have read human history--those who know human nature...know that Compromises aggravate in the end all our difficulties. (Emphasis in original. ED.)

Where is the State legislature today which has protested the biennial extensions of Public Law 78 as the legislature of Pennsylvania protested similar congressional actions in 1819?

A measure was ardently supported in the last Congress of the United States...which...would impede the march of humanity and freedom...and would affix and perpetuate an odious stain upon the present race: a measure, in brief, which proposes to spread the crimes and cruelties of slavery from the banks of the Mississippi to the shores of the Pacific.

When measures of this character are seriously advocated in the republican congress of America in the nineteenth century, the several states are invoked...to protest against its adoption, to refuse to covenant with crime, and to limit the range of an evil that already hangs in awful boding over so large a portion of the Union.

(Resolution of the Pennsylvania Legislature, December 22, 1819)

Agricultural labor, in many sections of this country at the present time, is virtually closed to free men. But where is the State legislature which has protested, as Vermont did in 1820?

Resolved, That, in the opinion of this legislature,...involuntary servitude in any of the United States is a moral and political evil....

Resolved, That this legislature views with regret and alarm the attempt of the inhabitants of Missouri to obtain admission into the Union...under a constitution which...contains provisions to prevent freemen of the United States from emigrating to and settling in Missouri on account of their origin, colour, and features....in the opinion of this legislature, these principles, powers, and restrictions [are] subversive of the unalienable rights of man.

(Resolution of the Vermont Legislature,
November 16, 1820)

In 1837, the U.S. House of Representatives, under the control of the Slave Power, resolved that all petitions, resolutions, and motions on the subject of slavery would thenceforth automatically be tabled without debate. This is reminiscent of the conspiracy of silence which has shrouded the bracero system since its inception. No serious public investigation or debate has ever been permitted, despite many requests from private groups for such an inquiry. But where is the State legislature of our day which has protested as Massachusetts did in 1837?

Whereas, the house of representatives...did adopt a resolution, whereby it was ordered that all petitions, memorials, resolutions, propositions or papers, relating in any way ...to the subject of slavery, or the abolition of slavery, without being either printed or referred, should be laid upon the table....

Resolved, That the resolution above named is...injurious to the cause of freedom and free institutions; that it does violence to the inherent, absolute and inalienable rights of man; and that it tends essentially to impair those fundamental principles of natural justice and natural law which are antecedent to any written constitutions of government....

(Resolution of Massachusetts Legislature,
April 12, 1837)

There are no longer slave markets in the District of Columbia, but braceros are kept in "bullpens" awaiting "buyers" in many seats of county government and less than fifty miles from State capitols such as Sacramento. Yet where is the outcry today as the Vermont Legislature cried out, in 1848, regarding slavery in the nation's capitol?

Resolved, That it is unbecoming the representatives of free men, maintaining the declaration that liberty is inalienable, to legislate for the general welfare, while their eyes are insulted with the frequent spectacle of men...confined in pens awaiting buyers....

(Resolution of Vermont Legislature,
October, 1848)

Where is the public body today which will cry out, as the Legislature of Michigan cried out, in 1855?

Slavery is regarded, by the people of this State, as a great moral, social, and political evil, at war with the principles of the Declaration of Independence...an impediment to

the prosperity of our common country, and an element of domestic weakness and discord....

(Resolution of Michigan Legislature,
January 26, 1855)

Assuming that the U.S. Supreme Court denies a writ of certiorari in The People of the State of California vs. Poland, and thus rules, in effect, that the Bill of Rights and 14th Amendment do not apply to braceros, where is the State legislature which will protest, as Connecticut did in 1857?

Resolved, That the majority of the judges of the Supreme Court...in a recent case of Dred Scott, in declaring that a free negro of the African race, whose ancestors were brought to this country and sold as slaves, is not a citizen...and is not entitled to sue in a court of the United States, and that no State can make him such a citizen...have departed from the usages which have heretofore governed our courts; have volunteered opinions which are not law...and thereby have lowered the dignity of said court....

(Resolution of Connecticut Legislature,
May Session, 1857)

Where is the William Lloyd Garrison of today who will publish the equivalent of the Liberator, and continue publishing despite calumny and physical attack? Where is the national magazine of today which will editorialize, as the Atlantic Monthly editorialized in 1857?

[That] the stronger half of the nation should suffer the weaker to rule over it in virtue of its weakness, that the richer region should submit to the political tyranny of its impoverished moiety because of that very poverty, is indeed a marvel and a mystery....

Are the States which name themselves, in simplicity or irony, the Free States, to be always the satrapies of [slave] power...? Are we forever to submit to be cheated out of our national rights by an oligarchy as despicable as it is detestable...? We...surrender ourselves, bound hand in foot in bonds of our own weaving, into the hands of the slaveholding Philistines!...Is our spirit effectually broken? Is the brand of meanness and compromise burnt in uneffaceably upon our souls? and are we never to be roused, by any indignities, to fervent resentment and effectual resistance? The answer to these grave questions lies with ourselves alone.

Where is the newspaper of our day which is wise enough and brave enough to say that indifferent bystanders are guilty, too, as the Evansville, Indiana, Journal said on April 20, 1861?

The whole country, North as well as South, has been instrumental in the endeavor to spread [slavery] over the continent, and to force it on unwilling people. While the South has been actively propagating and perpetuating the institution, the North has winked at the wrongful business....Therefore, in the coming troubles, the North must not expect to escape the penalty of her lack of principle. She must suffer, like the South....

The people of the North as a body have been willing to let slavery alone--to have nothing to do with it one way or the other. They have no other desire now. But...our country can never reach its full stature and importance so long as this baleful influence extends over it. It is a paradoxical state of things to see a country, which boasts of its freedom, nursing and sustaining the most odious system of slavery known on earth....there is truly an "irrepressible conflict" between free and slave labor, and eventually the country must be all slave or all free, or the two parts must separate; which, we shall soon know....

And where is the friend of domestic liberty in 1963 who can say, as John Brown said, on his way to the gallows in November, 1859:

...I deny everything but what I have all along admitted: the design on my part to free the slaves....That was all I intended. I never did intend murder, or treason, or the destruction of property, or to excite or incite...insurrection. ...The law of God...teaches me that all things whatsoever I would that men should do to me, I should do even so to them. It teaches me, further, to "remember them that are in bonds, as bound with them." I endeavored to act up to that instruction....I believe that to have interfered as I have done--as I have always freely admitted I have done--in behalf of His despised poor, was not wrong, but right. Now, if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children and with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments,...I submit; so let it be done!

The moral issue today is fundamentally the same as it was a hundred years ago. The bracero system is dehumanizing and wicked. The sociological issue is fundamentally the same. Captive labor and free labor are mutually exclusive and intrinsically antagonistic. There will always be an "irrepressible conflict" between the two of them until one or the other prevails.

But times change. The political setting of the conflict is different. A hundred years ago, politics as normally understood--the resolution of conflict by parliamentary means--proved wanting, and gave way to war, which is the death of politics. We have not yet exhausted our political means today. Channels are still available to us for the abolition of the bracero system without force and violence. Essentially all that is required is the enlightenment of the American people. There will follow an end to the complaisant cooperation of non-bracero holders with bracero holders in State and National legislatures. We do not believe the American people, once informed of the true issues, are incapable of indignation. We do not believe consumers are so far gone in their worship of the dollar that they will prefer to support domestic despotism rather than pay another quarter of a cent for fruits and vegetables. And we do not believe urban legislators are so committed to their alliances with the Bracero Power that they will fail to make a speedy end to the ugly business when they recognize that their constituents are morally aroused over our contemporary equivalent of involuntary servitude.

In a word, modern-day abolitionists have available to them more various and peaceable avenues than were available to the abolitionists of the last century. We cannot, of course, speak for the other side in this issue.

We do not know what braceroholders may do in their paroxysmal efforts to preserve what they regard as their prerogatives. They may resort to the massive lawlessness they have none too subtly threatened: that is, the resumption of the "wetback" traffic. If so, the obligation of the Federal government is obvious. It met its obligation in a somewhat related arena last autumn, when it employed 10,000 men to uphold the law as it applied to one man. Surely it can do no less, if need be, to uphold the law as it applies to the millions of American citizens who cling tenaciously, despite the bracero institution, to their chosen occupation close to the living land.

XIII. "...so shall ye reap."

"As ye sow, so shall ye reap...."

We began by sowing a grain--a seemingly small grain--of tyranny. There was a war, and we thought that justified it. It was far from our immediate lives, and we thought that justified it. We thought it had nothing to do with us. We thought it would grow, and yield, and perhaps some day die, out of our sight. We thought we would be able to forget the seemingly small grain we had sowed.

But that is not the way of compromises with freedom. It is not the way of sowing and reaping. The harvesting is many times more abundant than the planting. The tyrannous planting which we permitted, with our eyes averted, has not proved self-limiting. It is yielding a new strain of plant, alien to our fields--a strain which chokes other plants, and reseeds itself, and spreads to adjacent fields, and chokes still more plants.

It is yielding a bitter, poisonous harvest. A harvest of human indignity and estrangement--estrangement of man from his work, of man from the land, of man from man.

This sinister harvest cannot be forgotten or put out of mind by anyone who cares about--rather than prates about--freedom. Our experimental planting of tyranny in Southwestern fields proliferates, and will not die--until it is killed. And until these poisoned fields are sown with a new, life-giving grain which confers, rather than blights, the unfolding and happiness of human beings.

XIV. The Fields Beyond

As these words are written, the spring of the year is upon the hills and fields of the Southwest. California's rolling foothills are verdant with wild grass and mustard flowers. The fruit trees--plums, apricots, peaches, almonds--are blossoming, pink and white. The grape vines are tipped with green. Seeds of grain, sugar beets, cotton, and vegetables have been implanted into the womb of earth.

There is order in the rows of vines and fruit trees. There is order in the furrows of the fields. There is growth in all the orchards and vineyards. There is growth in all the fields. There is abundance here. There is the beauty of order and growth. There is the joy that nature has renewed herself once more. There is the hope of fulfillment in the harvest to come. And there is freedom from the brutalization which man has worked upon himself in his concrete city towers, the warrens in which he lives, the machines which pollute the air he breathes.

But into these fields of order, growth, abundance, beauty, joy, fulfillment, hope, and freedom have entered strange and jarring forces. The men who work in these ordered rows do not live ordered lives. The men who work with these growing things live deadened lives. They who work with these abundant crops are impoverished. They who work in this setting of beauty and joy do not know beauty and joy. They who work amid the fulfillment are unfulfilled. They who work amid the hope are without hope. They who work in these free surroundings are not free.

This is pathetic; it is tragic; it is unnecessary. The land--together with the water around it and the air above it--is the common heritage of mankind. It should be a bond which knits men together, never an agency whereby some man become ascendant and other men become enslaved.

There must be fields other than those where the natural order and beauty and abundance and freedom are mocked by the chaos, ugliness, poverty, and tyranny of men's lives.

Surely, if we raise our eyes, we can glimpse a different way, a better way. Surely, we can find fields in which the liberation and fruition of springtime are matched by the liberation and fruition in the lives of men.

Surely, we can discover, if we seek, the fields beyond our fields of bondage.

